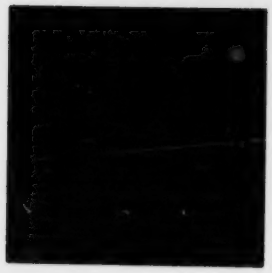
Report Of The Advisory Committee On Commercial River Rafting In British Columbia



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"Life is a daring adventure,
or it is nothing at all"

Helen Keller

Report of the

Advisory Committee on Commercial River Rafting

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Executive Summary

During the course of the Advisory Committee's review of the commercial river rafting industry in British Columbia, a number of major issues were investigated and recommendations made to ensure that all operators in B.C. would be highly competent, properly qualified and correctly equipped to provide a high level of public enjoyment and safety.

The issues reviewed in the investigation include:

- guide qualification and training requirements;
- the oar and paddle raft component of the industry;
- use restrictions on hazardous sections of rivers;
- wetsuit and helmet usage;
- effectiveness of the current river rafting standards;
- other international rafting jurisdictions;
- whether the industry should be regulated by the provincial or federal governments;
- the effective enforcement of offences and tougher penalties to promote the proper application of all regulations and permit requirements.
- fees for permits

After careful consideration of these and other issues, the Committee has reached the following *main* recommendations:

- The industry should be regulated by the provincial government.
- The *River Rafting Standards* should be removed from the *Canada Shipping Act* and become regulations under a new provincial statute.
- A new provincial statute should be considered that could regulate *all* adventure travel businesses as the need arises.
- A comprehensive set of specific operational requirements for each rafting river should be developed and integrated with an effective regulatory and enforcement system.
- The *River Rafting Standards* should be amended to provide, among other things:

  a) the toughest qualification requirements for guides anywhere in the world, including a requirement for on-river competency testing;

  b) "A" and "B" classification of guides, with specific river section guide requirements being based on technical difficulty and environmental factors of that river section;

c) new regulation of nonmotorized raft trips;

- A training society should be formed by the industry to provide a forum for guide instruction in river rescue techniques, river operational skills, and specific first aid and lifesaving procedures.

- Special Provisions should be developed for every river commercially rafted in B.C. and form a part of the permit to operate on each river. These sets of Special Provisions would include size of rafts, number of passengers per raft, means of propulsion, river closures at certain water volumes, classification of guides required, mandatory equipment, wetsuits, helmets, radios, and expedition and first aid supplies. Commercial rafting should not be allowed on any river where Special Provisions have not been developed.

- A Registrar of River Rafting should be appointed, whose job it would be to issue, cancel and suspend outfitters permits and guide licences, oversee guide training and coordinate enforcement of all regulations.

- Government should require all companies operating on all B.C. rivers to pay an annual permit fee and have a valid permit to operate.

- New offences should be created dealing with operating without a permit and careless or reckless conduct of guides and outfitters calling for penalties of up to $2,000 and/or 6 months imprisonment. Other more minor offences should be dealt with by tickets with mandatory fines.

- The R.C.M.P. should enforce the *Regulations* with the Registrar coordinating the efforts of the police and the Crown when appropriate.

- Appeals of Orders of the Registrar and hearings may go to the Environmental Appeal Board, but government should consider forming a tribunal to deal with decisions affecting all sectors of the provincial adventure tourism industry in a uniform fashion.

- Government should provide the necessary funding to put these recommendations in place.

Chapter 1

Introduction

APPOINTMENT OF THE COMMITTEE

The Honourable Bruce Strachan, B.C. Minister of Environment and Parks, appointed the Commercial River Rafting Advisory Committee on October 1, 1987 in response to a number of fatal river rafting accidents. The Committee was asked to make recommendations by November 30, 1987 to the Minister to ensure that all commercial rafting operations in British Columbia are run competently, employ properly qualified guides and outfitters and are equipped to provide optimum levels of public enjoyment and safety.

The River Rafting Advisory Committee is composed of Jim Millar (Chairman), Jim Lavalley and Dan Culver.

Jim Millar, a Vancouver trial lawyer,has been involved in the adventure tourism industry as a commercial river guide and wilderness outfitter.

Jim Lavalley began his river career in 1971 when, as a planner with Parks Canada, he was involved in a wild rivers survey project. From 1974 to 1979 he was a senior trip leader for Canadian River Expeditions. And since 1980, he has been co-owner and operator of Hyak River Expeditions.

Dan Culver began commercial river rafting as a guide on the first commercial trip run in Canada. In 1973, he formed Whitewater Adventures, which he operated until 1985, running raft tours throughout B.C. and in the Northwest Territories. He now operates Bluewater Adventures, which provides natural history sailing tours and consults to adventure travel firms.

COMMITTEE OBJECTIVES

The Ministry of Environment and Parks specified that the Committee make recommendations regarding the following:

a) qualification standards for guides and trip leaders, and methods to be used for training, examination and verification;

b) a system for issuing, suspending and cancelling permits;

c) requirements on raft construction and on capacity limits;

d) requirements and standards of personal safety equipment;

e) special conditions that could be imposed on commercial rafting operations on certain rivers;

f) improvements in enforcement to ensure that all regulations and standards are complied with;

g) necessary amendments to the *Boating Restriction Regulations* and the *River Rafting Standards*; and

h) ongoing requirements for monitoring rafting standards and for developing and implementing a guide and trip leader training program.

REPORT ORGANIZATION AND CONTENTS

The remainder of this report is as follows: Chapter 2 provides a history of commercial river rafting in B.C. and briefly reviews the origin of river rafting and its distribution in other parts of the world. Chapter 3 outlines how the Committee gathered information. Chapter 4 discusses major issues identified by the Committee. Chapter 5 describes safety regulations and management in other jurisdictions. And Chapter 6 presents the Committee's recommendations to government.

The recommendations fall into four groups. The first deals with the issuance, suspension and cancellation of permits; and the establishment of a River Rafting Registrar.

The second deals with enforcement, allocation of river use, insurance, river closures and disclosures to the public.

The third deals with river rafting standards including guide and trip leader qualifications, training requirements, raft construction and capacity, personal safety equipment, and special river conditions.

The fourth deals with the development and implementation of a guide and trip leader training program; provincial and federal responsibilities, and the river rafting industry.

A number of appendices provide background information.

Chapter 2

Background

HISTORY OF RAFTING IN GENERAL

Commercial river rafting began in earnest shortly after World War II. At that time, inflatable craft used for beach landings, commando rafts, and bridge pontoons became surplus. The special characteristics of these rubber boats were soon appreciated by the early pioneers in the river business.

Rafting began on the Colorado in the late forties, but growth was slow. During the fifties, operators, such as Georgie White on the Colorado River, began perfecting the motorized raft.

In the early sixties, noted politicians, like the Kennedys, and entertainers, like Andy Williams, gave the sport greater prominence. Media attention grew and public awareness increased dramatically. During this decade of prosperity and ever-increasing leisure time, river rafting got its solid foundation.

The seventies were the boom years for the industry in the U.S. During that time, the Natural Geographic Society published articles and produced television programs on rafting, which further increased public awareness. Rafting spread to Canada, Africa, South and Central America, New Zealand, Australia and Europe during this decade, and then to China and the U.S.S.R. in the next.

In the eighties, the private rafting industry became increasingly important. In 1987, the worldwide industry logged approximately 5.5 million guests days.

HISTORY OF RAFTING IN B.C.

Commercial Growth

Commercial river rafting began in B.C. in 1972 when two 10-day expeditions were run on the Chilcotin and Fraser rivers in the west central interior of the province.

The following year saw the first motorized commercial trips through Hell's Gate on the Fraser River and the first commercial oar-powered trips on the Thompson River between Spences Bridge and Goldpan Provincial Park. In 1974, the first motorized trips were run on the Thompson River through Devil's Gorge. And in 1975, Lava Canyon on the Chilko River was commercially rafted.

As the river industry began to grow, a number of outfitters started meeting to exchange ideas on safety procedures and equipment and to further enhance the profile of the industry. As a result of these meetings, the River Outfitters Association of B.C. (R.O.A.B.C.) was formed, with the following objectives:

- To protect the interests of its members.
- To establish and maintain a code of standards for controlling the quality of its members' operations.
- To cooperate with the B.C. government in the licensing of outfitters and guides.
- To cooperate with the B.C. government in establishing legislation for protecting the river environment.
- To provide a forum and communication link among its members.

By 1978, approximately nine operators were rafting rivers in the Fraser drainage system in the interior, in the Columbia drainage system in the south east, and in the north west to the Alaskan Panhandle. Total user days reached 12,000 that year.

From 1980 to 1986 nonmotorized rafting grew significantly. These oar and paddle-powered rafts opened a whole new class of small-volume and sometimes steep rivers to the public. Guests began to actively participate, and such rivers as the Chilliwack in the lower mainland and the Kicking Horse River in the East Kootenay region became popular. Motorized rafting also increased in popularity, but its geographical base remained in the Chilcotin, Fraser and Thompson rivers.

At the end of the 1986 season and the EXPO summer, approximately 60 companies were operating commercial river trips on 36 rivers throughout the province. The industry generated gross sales of $3.9 million and the number of guest days had reached 49,000.

The Future

British Columbia has become world renowned for its river rafting opportunities, and the sport is growing steadily. With a population of 5 million people within an eight-hour drive of B.C. rivers, the short-trip market alone could total $7.5 million (based on other local operations in North America). The market for longer expedition raft trips will also continue to grow as wilderness increasingly becomes a scarce commodity in other parts of the world.

As a component of the adventure travel industry, which is projected to be the fastest growth sector of the Canadian tourist industry, rafting's future in B.C. is guaranteed.

Rafting Incidents

In early May 1979, a single motorized raft overturned on the Fraser River above Hell's Gate. A number of participants made it to shore or were rescued by a second raft, but three died: a trip-leader instructor and two passengers. The accident stunned the industry and the public.

No further fatal incidents occurred until mid-June of 1987 when a single raft on a commercial exploratory trip down the Illecillewaet River, east of Revelstoke, struck a log jam. This accident was followed in the same year by the tragic events of July 1 on the Elaho river, 70 miles north of Vancouver when two out of three paddle rafts capsized against a log jam at Devil's Elbow. Five lives were lost.

Then, in August, an oar-powered raft travelling alone struck a rock in Lava Canyon on the Chilko River. All but one of the participants were washed into the river. Five people drowned. Four days later, a man from a private German rafting group drowned trying to rescue an abandoned and damaged raft on the same section of river.

Within a seven-week period, B.C. had experienced 12 fatalities in the commercial river rafting industry. As media attention grew, the public perception of rafting was significantly altered. As a result, corporate gross sales and guest days dropped by an average of 30 percent.

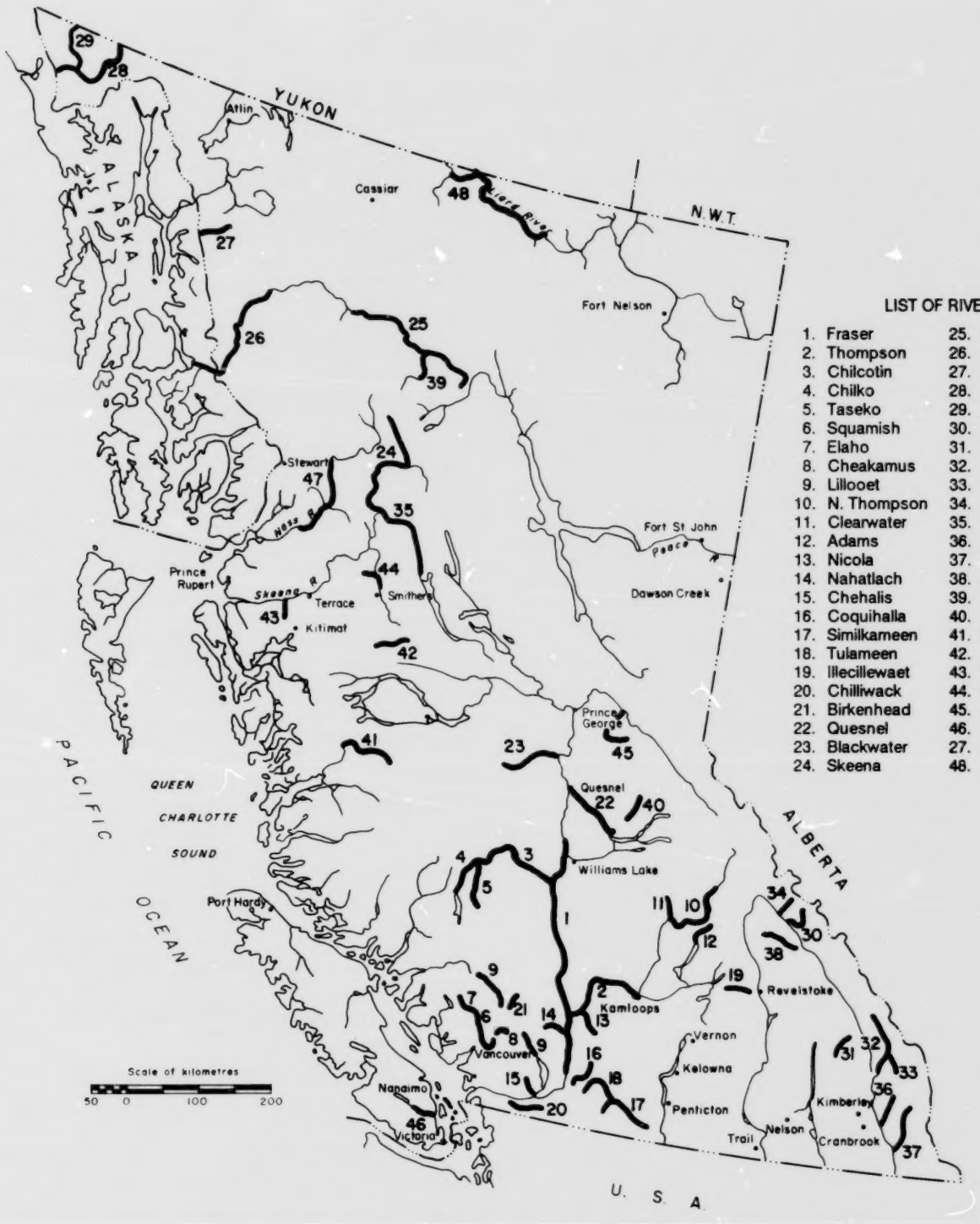
ENVIRONMENTAL CONDITIONS

British Columbia is one of the most diverse geographical areas in the world. Within its provincial borders lies massive ice fields, tundra, deciduous and coniferous forests, deserts, and rain forests. These features make rafting in B.C. a unique experience. But they also create conditions that require special precautions.

Many B.C. rivers are fed from glaciers or permanent snow fields. This fact alone, which ensures cold water all summer long, requires that rafting be undertaken with special caution. In addition, many rivers are steep, continuous and high volume. They do not exhibit the typical pool and drop sequence, which allows one to regroup in a warm quiet pool before encountering the next rapid.

Furthermore, temperatures can rise rapidly during the summer, sending winter snow melt rushing down the mountains, causing almost instantaneous flooding.

Log jams and sweepers are the ultimate danger on rivers that flow through large, mature forests, particularly those that have been logged.



LIST OF RIVERS

1. Fraser
2. Thompson
3. Chilcotin
4. Chilko
5. Taseko
6. Squamish
7. Elaho
8. Cheakamus
9. Lillooet
10. N. Thompson
11. Clearwater
12. Adams
13. Nicola
14. Nahatlach
15. Chehalis
16. Coquihalla
17. Similkameen
18. Tulameen
19. Illecillewaet
20. Chilliwack
21. Birkenhead
22. Quesnel
23. Blackwater
24. Skeena
25. Upper Stikine
26. Lower Stikine
27. Whiting
28. Tatshenshini
29. Alsek
30. Kicking Horse
31. Toby Creek
32. Kootenay
33. White
34. Blaeberry
35. Babine
36. Bull
37. Elk
38. Spillimacheen
39. Spatsizi
40. Cariboo
41. Dean
42. Morice
43. Gitnadoix
44. Bulkley
45. Bowron
46. Cowichan
27. Nass
48. Liard

B.C. RIVERS ON WHICH COMMERCIAL RAFTING HAS OCCURRED

Finally, the remoteness of many river systems from medical and emergency service requires that guides have specialized first-aid training.

REGULATIONS AND STANDARDS

The regulation of river traffic has been interpreted to be a federal responsibility conferred on it by the Constitution, 1867.

Specifically, the regulatory power is conferred upon the Governor in Council through Section 635 of the *Canada Shipping Act*.

Subsections (4) and (5) of Section 635 state:

(4) The Governor in Council may by order or regulation provide

a) for the government and regulation of any part or parts of the inland, minor or other waters of Canada,

b) for the licensing of operators of vessels on such waters, and

c) for the enforcement of any such order or regulation.

(5) Without limiting the generality of subsection (4), any order or regulation made by the Governor in Council under that subsection may provide for the prohibiting or limiting of navigation on any part of the waters of Canada, in the interests of public safety or of promoting or ensuring the effective regulation of such waters in the public interest or for the protection or convenience of the public, of vessels not exceeding fifteen tons gross tonnage.

Until 1979, no special regulations applied to river rafting. But after the first fatality in 1979 and following a recommendation made by the inquest into the accident, the Minister of the then Ministry of Lands, Parks and Housing, announced that he would discuss with the federal government regulations for commercial rafting on provincial rivers. Between July 1979 and early 1981 meetings were held between the Ministry of Lands, Parks and Housing, the federal Ministry of Transport, and the R.O.A.B.C. During these meetings the *River Rafting Standards* were developed.

In 1981, the *Boating Restriction Regulations* were amended to restrict commercial river rafting to specific B.C. rivers and the *River Rafting Standards* were adopted under these regulations. (See Appendices 1 and 2 for complete versions of the *Regulations* and *Standards*.)

The *Boating Restrictions Regulations* provide for the issuance, suspension and cancellation of permits, and restrict the operation of rafts to certain specified rivers unless authorized by a permit.

The *Standards* provide definitions of terms, including ones for permit, guide, trip leader and life jacket, and in addition, cover the following:

- raft identification (marking);
- raft construction;
- the person capacity of rafts;
- raft equipment requirements;
- requirements for the operation of rafts;
- accident reporting;
- the procedure for developing special provisions for rafting on specific rivers;
- raft repair and engine repair kits;
- guide and trip leader qualifications;
- guide and trip leader service records.

Chapter 3

Information Gathering

SUMMARY

The Committee gathered information in the following ways:

- Produced a brochure describing the Committee, its members and how it intended to fulfill its mandate; a fact sheet on river rafting in B.C.; and a form for written comments and suggestions.
- Contacted by telephone government agencies, rafting associations, private companies and individuals outside B.C. to obtain information on commercial rafting safety and management in their areas.
- Contacted in writing river rafting companies, trip leaders and guides known to have worked on B.C. rivers; selected local and regional levels of governments in B.C.; and provincial and federal agencies.
- Conducted a series of public meetings in Cranbrook (October 23), Kamloops (October 27), Prince George (October 28), and Vancouver (November 6).
- Held meetings with members of the rafting industry in Vancouver on October 23, November 9, November 14 and November 18, and interviewed members of the B.C. river rafting industry throughout the course of the project.
- Held discussions with representatives of B.C. and federal government agencies, B.C. colleges, nonrafting organizations and businesses, and the legal community.

The following sections contain details about these undertakings.

INFORMATION LETTERS

The Committee sent letters to 50 local and regional governments where commercial rafting is taking place; to 23 Chambers of Commerce; to 8 provincial and federal agencies that might have an interest in the viability of the industry; and to the 53 rafting companies known by the Ministry of Environment and Parks or the Committee members to have worked on B.C. rivers. (Appendices 6 and 7 list recipients of these letters.) The Committee also sent letters to the over 200 guides and trip leaders who have been licensed by the Ministry of Environment and Parks to operate on restricted rivers in B.C.

PUBLIC MEETINGS

The Committee realized that a significant proportion of B.C.'s population is interested in rafting safety and how the industry develops and operates. Therefore, it made every effort to inform the public about the Committee's mandate, activities and public meetings. To this end, the Committee issued a news release that outlined its objectives, and provided the dates and locations of public meetings to be held in Cranbrook, Kamloops, Prince George and Vancouver; it contacted radio and television stations and newspapers in each area; and placed an advertisement in the Vancouver Sun and Province newspapers about the Vancouver meeting.

The public meetings were held in an informal, open-house style to encourage individual input. Most of those attending the meetings were either involved in river recreation or associated with the rafting industry. Few members of the general public attended.

The public meetings proved to be a valuable source of input and provided an excellent forum for discussion.

WRITTEN SUBMISSIONS

The Committee invited written submissions in all its correspondence and at all meetings.

Fifty-two submissions were received. (Appendix 5 contains a list). After the November 10 deadline, submissions were organized into topic areas and reviewed in detail before this report was prepared.

OTHER MEETINGS AND DISCUSSIONS

A series of meetings were held in Vancouver with operators of rafting businesses, guides and trip leaders.

The first meeting, held on October 23, was called and chaired by the River Outfitters Association of B.C. The three subsequent meetings, held on November 9, 14, and 18, were called by the Committee. These meetings reviewed the proposals the Committee was considering.

The input provided at these meetings was informative and constructive, and proved to be invaluable.

In addition to these scheduled sessions, extensive discussions were held with individuals from the B.C. rafting industry throughout October and November.

Meetings and individual discussions were also held with B.C. and federal government agencies, nonrafting organizations and individuals.

The Committee held discussions with the following B.C. and federal government agencies:

- the Risk Management Branch of the Ministry of Provincial Secretary and Government Services regarding liability insurance;
- the Western Region Office of the Canadian Coast Guard regarding the Committee's overall objectives and plans;
- the R.C.M.P. in Golden and the "E" Division headquarters in Vancouver regarding enforcement; and
- the B.C. Coroner's office in Vancouver (Bob McCarrol) and Kamloops (Bob Graham) to review the status of coroner's inquests into two of the 1987 rafting accidents and other related matters.

The committee also held discussions with nonrafting organizations, and individuals including:

- Mustang Industries regarding the design, use and approval of life jackets;
- St. John's Ambulance regarding first aid training;
- The Outdoor Recreation Department of Capilano College regarding the development of a guide training program; and
- Zodiac/Hurricane Incorporated regarding Raft Construction.

Finally, several people in the legal profession were contacted regarding a variety of items related to the regulation of rafting (see Appendix 8).

OTHER JURISDICTIONS

Information on rafting safety and related regulations in other jurisdictions was obtained from the U.S. National Parks Service in six different locations, the U.S. Bureau of Land Management, the U.S. Forest Service; nine U.S. states, and New Zealand. (Appendix 9 lists the contacts made.) Chapter 4 summarizes the information gathered. In addition, a variety of nongovernment contacts on these matters were made.

Chapter 4

Other Jurisdictions

This chapter reviews safety regulations and management in the United States and New Zealand. The following table summarizes the information.

LICENSING

Almost all jurisdictions contacted have a guide-licensing and/or a rafting-outfitter licensing system. Only the states of Arizona and California have no rafting-related licensing systems. However, in California regulations are imposed on rivers by federal and county agencies, and in Arizona by federal agencies.

Most agencies require rafting guides to have first aid and CPR training and on-river experience before granting a licence. The river experience may be specified in hours, days or seasons.

Liability insurance is also a common requirement for an operator's licence. And many jurisdictions require the operator to file an operating plan. The State of Idaho also requires operators to take a written exam and post a $5,000 bond.

In Maine and Utah, state agencies give guide exams. In Maine, the exam has written and oral components. The National Park Service in Arizona is also developing a guide exam.

These exams can cover such areas as first aid, emergency procedures, rafting techniques, characteristics of specific rivers, safety equipment requirements, rafting regulations, and guide qualification requirements.

TRAINING

None of the agencies contacted have compulsory guide training courses. However, the National Parks Service in West Virginia and the Fisheries and Wildlife Department in Maine run training programs that guides attend on a voluntary basis.

Some agencies, such as the Park Service, require that operators provide seasonal training to their guides. In a number of the U.S. states, such as in West Virginia, rafting operators provide a lot of high-quality, in-house guide training. In addition, businesses related to river recreation provide guide training on a fee basis.

In New Zealand, the government has given financial support and staff assistance for the development of a guide training program operated under a newly formed professional guides association.

ENFORCEMENT

Most U.S. states and federal agencies have provisions for revoking and suspending guide and rafting operator licences and for issuing fines and prison sentences. The fines can be as high as $5,000 (Maine) and prison sentences can be up to 6 months. These penalties can be imposed for a variety of reasons including inadequate on-river safety practices, public complaints, lack of required safety equipment, lack of required licences and falsifying documentation.

The maximum penalties are rarely, if ever, imposed, but they affect the practices of the guides and operators by being available for use, if necessary. Suspending and revoking licences and, in particular, issuing tickets are more common. In some jurisdictions, such as the State of Colorado and Eldorado County in California, if an operator receives two or more tickets or commits the same offence twice, his licence is automatically reviewed.

In most jurisdictions, if a licence is suspended or revoked, an appeal process is available. The appeal may be made to a board or committee, which includes industry peers and private

citizens, or it may be to the head of the agency that imposed the penalty.

On-river inspections of rafting equipment and guide and operator licences are also common. In some jurisdictions, where commercial rafting participation is very high such as in Colorado, trained river rangers carry out inspections on the river and at the operator's place of business.

ADVISORY COMMITTEES AND BOARDS

Some jurisdictions, such as Maine, West Virginia and Colorado, have established Whitewater or River Rafting Advisory Committees. The members are usually from government and the rafting industry, and may include private citizens not affiliating with rafting. These committees have a variety of responsibilities including reviewing accident reports and making recommendations regarding the need for new or amended rafting regulations.

Summary of Rafting Regulations in Other Jurisdictions

JURISDICTION	GUIDE PERMITS	COMPANY	EXAM	MANDATORY TRAINING	INSPECTIONS	ENFORCEMENT/PENALTIES	COMMITTEES/BOARDS
OREGON							
State Marine Board	-YES, (required to register) -first aid -insurance	YES, (required to register) -insurance	NO	NO	Police	- $1,000 ticket or 6 months in jail for providing false information or not registering -registration may be revoked	
Bureau of Land Management	-NO	YES, 5 year duration -liability insurance $100,000 per occurrence $300,000 aggregate -must submit operating plan	NO	NO	-annual evaluation of permit carried out	-yes, equipment related -permit may be suspended or revoked	Interior Board of Land Appeals -penalties may be appealed to this board
IDAHO	-first aid Float Guide - 3 trips on river applied for Lead Boatmen - 6 trips Power Guide - 50 boating hours	-YES, $5,000 bond - operating plan - outfitter exam	YES, for outfitter			-suspend or revoke licence -fines up to $1,000 or 6 months in jail	Outfitter/Guides Board
STATE OF COLORADO							
Parks and Outdoor Recreation	- NO, outfitter responsible for ensuring guides qualified -18 years old -first aid and CPR -50 hrs on-river training; of this 30 must be with an instructor on board, 20 hrs on river on which guide will operate	YES (River outfitter licence) -18 yrs of age -2 yrs of river outfitting or guide experience -first aid -liability insurance $100,000 per person, $300,000 per accident -issued annually	NO	NO	- river rangers carry out inspections of place of business (logs etc.) and on river (200 - 300 per year)	- fines up to $1,000 or 12 months in jail -if 2 or more tickets (penalty up to $100) issued for same violation licence is reviewed. Informal hearing, outfitter may be informed he could lose licence. Has to indicate corrective steps. May be followed by formal hearing -licence can be suspended or revoked.	Advisory Committee on River Rafting -5 members, 2 not affiliated with river outfitters -makes recommendations concerning river outfitters and associated activities Parks and Outdoor Recreation Board -reviews complaints -can suspend or revoke licence

JURISDICTION	GUIDE PERMITS	COMPANY	EXAM	MANDATORY TRAINING	INSPECTIONS	ENFORCEMENT/PENALTIES	COMMITTEES/BOARDS
National Park Service	NO	YES -require minimum $500,000 insurance -require operational plan; specifies -seasonal training -emergency rescue (who assumes costs) -sanitation	NO	NO		-operators must comply with state law (see above) -permit may be revoked by National Parks Service	
UTAH							
State Parks and Recreation	YES, valid for 5 years -18 years old -experience -4 classes of guides -first aid, CPR	YES	YES, written	NO		-suspend or revoke licence	
National Park Service	-follow State requirements	YES, follow state requirements -$100,000 liability insurance	-follow state require-ments	NO			
ARIZONA							
State	-rafting unregulated at state level						
National Park Service	YES -advanced first aid -CPR Guide - 6 trips through Grand Canyon Trip Leader - 10 trips through Grand Canyon	YES	-not at this time, are developing a written exam	NO	YES		
CALIFORNIA							
State	rafting unregulated at state level; regulations im-posed at specific river level by federal and county agencies	NO	NO		NO	NO	

JURISDICTION	GUIDE PERMITS	COMPANY	EXAM	MANDATORY TRAINING	INSPECTIONS	ENFORCEMENT/PENALTIES	COMMITTEES/BOARDS
Eldorado County	NO	YES	NO	offered by county, voluntary	YES	-3 or more violations of same kind brought before zoning administrator. Penalties can be issued	
NEW ZEALAND	Voluntary Code administered by Dept. of Transport Guide -18 years old -first aid -10-15 days - 1-3 trips on specific rivers Trip Leader -20 years old -guide for 12 mos. -20 days as a guide	-20 years -guide for 12 months -20 days experience as a guide -3 trips as trainee trip leader	NO	NO, voluntary training program developed by guides with government assistance	NO	NO	
STATE OF MAINE							
Inland Fisheries and Wildlife	YES -18 years old -basic first aid -CPR	YES -$300,000 liability insurance.	YES, written and oral. Oral exam before a board of 2 wardens and 1 guide.	Safety rodeo (voluntary) 1 day seminar to which all guides are invited; includes on-river program.	YES, by wardens	-failure to comply may result in nonrenewal, revocation or suspension of a company or guide licence -may be a civil offence subject to a fine up to $5,000 -operation without a company licence or in violation of a safety requirement is a criminal offence.	Whitewater Committee -made up of elected officials -review standards once per year -set allocation days Safety Committee -2 wardens, 2 company owners, 2 guides, 2 appointed by governor -review safety reports -review need for new laws -go through accident reports -makes recommendations to Fish & Wildlife.

JURISDICTION	PERMITS GUIDE	COMPANY	EXAM	MANDATORY TRAINING	INSPECTIONS	ENFORCEMENT/PENALTIES	COMMITTEES/BOARDS
STATE OF NEW HAMPSHIRE	Guides -18 years old -first aid, CPR -basic training Trip Leaders -21 years old -advanced first aid						
WEST VIRGINIA	-2 seasons of experience						
State	NO honour system up to companies Guides -18 years old -10 trips -first aid -CPR Trip Leaders -20 years old -3 yrs. experience as a guide -20 trips	YES	NO	NO	YES	can suspend or revoke permits	Whitewater Advisory Board
National Park Service	-rafting requirements same as for state			-volunteer programs in place for 2 years	YES	can suspend or revoke permits	

Chapter 5

Major Issues

INDUSTRY-RELATED ISSUES

In 1987, the commercial river rafting industry in B.C. was made up of approximately 60 companies, operating on 36 rivers and drawing from a short-trip market of about 5 million people. Of these 60 companies, only 6 are full-time, year-round businesses.

Compared with other areas in North America, B.C. has an extremely large number of part-time outfitters, operating over a very large geographical area and competing for a relatively small pool of potential clients.

Barriers to entry into the rafting industry are few. Thus, some operators are unprepared financially, organizationally and operationally to provide a consistently safe river experience to the rafting public.

But without safety, there is no business. Financial concerns relating to training, equipment and profitability must in no way interfere with the safety of the operation.

As a result of accidents this summer on our B.C. rivers, all participants experienced economic downturns. Generally, the larger the investment, the larger the downturn both in relative and real terms. Companies completely unassociated with the accidents were dramatically affected and a number of these well-run companies may be unable to survive.

The qualifications of Guides is another issue that needs to be addressed. Guide training is inconsistent throughout the industry. And the seasonal nature of the industry and unpredictable work schedules do little to attract and hold qualified guides and trip leaders. There is also a lack of communication, resulting in a restricted flow of information between companies relating to safe operational procedures.

Finally, only the Fraser and Thompson Rivers have an easily accessible daily river-level and flow monitoring system. A provincial-wide system would greatly assist both private and commercial rafters in planning for their trips and providing a safe river experience.

SELF-REGULATION

When the *River Rafting Standards* were adopted, the industry, through its voluntary membership in the River Outfitters Association of British Columbia (R.O.A.B.C.), attempted to ensure that its membership conformed to the guidelines.

However, the R.O.A.B.C. was unable to police the industry because (1) they lacked a method of enforcement, (2) the industry was small and highly competitive, so negative judgments about an operation were seen as an aggressive business tactic, and (3) only a portion of industry was represented in the voluntary membership because of the wide geographical location of members and the resultant difficulty of attending meetings in Vancouver.

Had the industry been able to police itself, government enforcement would not be required.

BOATING RESTRICTION REGULATIONS

The *Boating Restriction Regulations*, as enacted in 1980 and amended in 1987, suffer from a number of inherent deficiencies:

- Many guides and operators are either ignorant of their existence or unclear about their location and content.
- The process of adding rivers to those already designated in the *Regulations* is too slow. For example, concerns about safety on the Kicking Horse River resulted in a

request from the provincial government in February of 1983 to have this river added to the *Regulations*. The federal government complied in March of 1985. During this period, two rafting seasons had passed and a fatality had occurred on the river. Concerns about safety on the Chilliwack River resulted in a request in January of 1986 to have this river added to the *Regulations*. The federal government complied in June of 1987, one and one half seasons later.

- The industry does not understand why it is controlled by a federal statute nor why the Coast Guard is involved in matters over which it has no real control or expertise.

- No central enforcement agency has sufficient knowledge to exercise *defacto* control over the industry. Inadequate enforcement is demonstrated in the Chilko River accident: the operator did not have a permit to run trips on this river as required under the *Regulations*.

- No effective deterrent is provided in either the *Canada Shipping Act* or the *Regulations*. The *Canada Shipping Act* Section 635(6) and the *Regulations*, Section 16(1) provide for a maximum fine of $500.00 for a breach.

- The power attributed to the designated provincial authority in Section 2 of the *Regulations* is inconsistent with that attributed in Section 2 of the *Standards*. In the former (made by the Governor in Council), one can "issue, cancel, or suspend", but in the latter (issued by the Department of Transport, but adopted by the Governor in Council), one can only "issue or cancel".

- Neither Section 635 of the *Canada Shipping Act* nor the *Regulations* expressly give the provincial government authority to collect service or licensing fees. In the past, the federal government has held that imposing a fee for permits and licences amounts to a tax, and that the *Canada Shipping Act* must, therefore, clearly set out the power of the Governor in Council to set such a tax.

The province holds that imposing a fee for issuing permits and licences is not a levy to raise revenue *per se*, but rather relates to the cost of providing a service, namely a licensing scheme, the purpose of which is to ensure safety.

PERMIT SYSTEM

B.C.'s permit system suffers from a number of problems:

- No criteria have been established for qualifying for a permit.

- No fee is attached to a permit.

- No program has been set up to monitor permit holders.

- No procedure has been established for suspending a permit.

- No procedure has been established for cancelling a permit.

- No one has ever been successfully prosecuted for operating without a permit.

Until 1987, the permit system did not apply to over 30 rivers being run commercially. But following the rafting accidents in the summer of 1987, the *Regulations* were amended to prohibit commercial river rafting on all rivers in British Columbia except those for which a permit had been issued.

TENURED PERMIT SYSTEM

During consultation with the industry, the issue of whether there should be tenure of permit arose repeatedly. A "tenured permit" would allow a commercial river rafting business to operate on a designated waterway for an extended period of time, with reasonable limits set on future competition with the tenured permit holder. There are a number of models for such a scheme.

Under the *Wildlife Act* S.B.C. 57, an individual who is normally resident in B.C. and has worked two seasons in the business under the auspices of a previously licensed guide outfitter may be examined and granted an *exclusive* right to guide in a designated area of the province. The licence is then renewable and is subject to suspension by the Regional Manager.

Such a restriction of use is seen to be the best way to protect the habitat. It also protects the guide or outfitter's often substantial investment in structures and equipment.

A "modified" tenured permit system is used in B.C.'s heli-skiing industry. Outfitters are granted exclusive use of an area for helicopter skiing purposes for a specified period. Under normal circumstances, the permit is renewed as a matter of course. The rationale is based on safety: an outfitter working in the same area over a period of time will become sufficiently knowledgeable about the conditions in his area that risk will be minimized. Tenure may also increase the likelihood that a company will be properly capitalized and maintained since commercial lenders and investors may perceive some security for their investment.

A variety of examples of tenured river rafting permit systems are found in the United States, notably Colorado. However, unlike B.C. the rivers in the United States have been so overburdened that use must be restricted to protect the environment and prevent overcrowding of campsite facilities.

Generally, the arguments advanced on behalf of a tenured permit system are as follows:

- The environment is protected and the quality of the experience is enhanced.
- Outfitters come to know "their river" and are intimately familiar with its physical condition and use.
- A resident permit holder comes to know the radical changes a river undergoes with changes in volume. This knowledge reduces the risk to his clients and benefits other recreational and commercial users.
- Tenure of permit is the only real security an outfitter can possess. It helps protect the river from overuse and thus protects his livelihood.
- A tenured permit represents a tangible asset, which can attract venture capital or satisfy commercial lenders. If companies are properly financed, they can operate at a high standard and can purchase quality equipment and pay wages that will attract skilled guides.
- Because the permit has a greater value, it is a more treasured asset. Thus, an outfitter will go to greater lengths to protect that asset and avoid suspension or cancellation.
- A tenured system of permits is easier to administer and therefore more cost effective.

The arguments made against tenured permits are as follows:

- Restricting competition by regulation is a generally undesirable government policy because it runs counter to our traditions of a free and open marketplace.
- The best guarantee of a high standard product in an industry is healthy competition.
- The lack of competition breeds complacency.
- The failure to grant a tenured permit does not prevent an outfitter from becoming intimately acquainted with the characteristics of a river.
- Because a permit apparently has a higher value, if the government attempts to cancel it, litigation is inevitable. Consequently, the government is less inclined to interfere in the affairs of the outfitters and public safety suffers.
- Commercial lenders are not particularly impressed by tenured permits.

- The notion of tenured permits having greater value is an illusion because any regulatory scheme must allow for review in the event of a sale; thus a purchaser has no guarantee that he can assume the permit on the same terms as the vendor.

PERMIT LICENCE FEES

Considerable discussion took place between the Committee and the industry on the issue of what, if any, fee should be levied on outfitters for their annual licence. The following points were made against immediately imposing a fee:

- Because the industry has suffered a severe set back recently, licensing fees may put a number of people out of business.
- The rafting industry has never received any significant public financial support and requires little government administration.
- Now is the time to assist companies by gradually phasing in licensing fees. The Companies will have to shoulder the burden of increased river experience requirements and first aid training, and may have to absorb some of the costs of having guides tested. Equipment deficiencies such as a lack of wetsuits or helmets may require further capital outlays at a time when insurance costs are rising and consumer confidence is waning.
- The imposition of a permit fee is outside the provincial power since it amounts to a federal tax.

The following points were made in favour of a fee:

- The imposition of a fairly stiff levy or bond might weed out the peripheral commercial companies who are perceived to be a higher risk group.
- If the industry wants to be regulated, it should pay for it.
- By imposing very high licence fees on "A" rivers, one could reduce use of these more hazardous rivers by marginal companies.
- Licence fees are fine, but they should be related to user days, so that outfitters who carry more passengers would pay a higher licence fee.
- A blanket fee should be imposed, which could be offset by use.
- Additional fees could be imposed for each additional river run. This would reduce the number of commercial trips in which guides who are unfamiliar with the hazards of the river take customers with them on trial runs.
- Fees could offset the cost of an effective administrative and enforcement program.

REGISTRAR

Discussions with members of the industry and the public, and written presentations from both revealed general agreement that responsibility for recommending and enforcing standards should be in the hands of a central, knowledgeable agency or individual, removed from, but accountable to, the government.

However, some debate surrounded the appropriate extent of the agency's or individual's mandate. The Committee received the following suggestions regarding responsibilities of the Registrar:

- enforcing regulations;
- training regional agencies such as the R.C.M.P. and conservation officers on enforcement;
- controlling the issuance, suspensions and cancellations of licences and permits;
- dealing with legislative amendments;
- ensuring industry-government liaison;

- handling special regulations relating to river conditions;
- managing issues related to the public such as risk disclosure and complaints;
- monitoring the training of guides, outfitters, instructors and examiners;
- monitoring the content of brochures and liability waivers;
- formulating emergency procedures;
- establishing a system for monitoring usage and finding solutions to overuse;
- controlling directly some policing function using conservation officers or "river rangers";
- assisting in expediting charges and helping police and prosecutors understand the nature and extent of allegations;
- issuing fines;
- citing outfitters for their conduct and meeting with outfitters to review equipment standards.

ALLOCATING RIVER USE

In the United States, the use of wilderness rivers is allocated to identified commercial and noncommercial users by state or federal agencies in response to the growing popularity of this form of recreation.

To date, allocating river use has not been an important issue in B.C. However, overcrowding may be a concern on rivers such as the Thompson, Chilliwack, and Kicking Horse. To deal with this issue, objective data on use will be needed. At present, the only estimates available on the numbers of people using our rivers are from the casual observations of outfitters and guides.

So that resources can be properly managed, it will become necessary in the near future to determine the extent of commercial use, recreational use by B.C. residents, recreational use by nonresidents, and the timing of peak usage.

COMMERCIAL USE BY NONRESIDENTS

The past decade has seen a steady increase in the use of our rivers by recreational users (noncommercial) and nonresident commercial users operating under the guise of noncommercial users. The latter imposes expenses on the people of B.C. in the form of campsite, waterways and highways maintenance; policing; administration; and emergency services. But, in addition, accidents by nonresident commercial groups reflect badly on the entire industry as was the case in the second accident in Lava Canyon in 1987 involving a German group.

Canada Customs and Immigration are aware of this situation, and industry members have discussed among themselves the desirability of having this use monitored by issuing nonresident permits.

ADVENTURE TOURISM

In discussion with the commercial river rafting industry, constant references were made to other recreational activities that share similar concerns such as ocean kayaking, river canoeing and kayaking schools and tours, back country hiking tours, whale watching and other nature tours, horseback trips, heli-skiing, ski tours, windsurfing schools, and mountain climbing tours and schools, among other activities.

Each activity shares issues of jurisdiction, safety, training, permits, licences and enforcement. The Committee felt that it would be reasonable to regulate all these activities through a single administrative structure.

The Committee discussed the desirability of enacting a single overriding statute to deal with adventure tourism generally; then enact

regulations to deal with each sector of the adventure travel industry as circumstances require. It was apparent to the Committee that a single administrative position, such as Registrar of Adventure Travel, may be able to formulate and coordinate a comprehensive policy towards common issues such as safety, permits, licences, and enforcement.

This would be consistent with the provincial tourism policy of marketing these activities as a unit. This approach may lead to an increased profile and more efficient delivery of service to the public.

RIVER CLOSURES

Government and industry both raised the question of whether some rivers and portions of others should be closed entirely to commercial river rafting. It is an issue upon which experienced, knowledgeable guides and outfitters took intelligent, well-reasoned positions.

Debate focused on sections of the Chilko, Fraser, Thompson, Chilliwack, Nahatlach, Kicking Horse and many other rivers at spring freshet; the conditions under which it may be appropriate to authorize motorized rafts but not oar and paddle rafts; and, where it may be appropriate to allow oar rafts, but not paddle only rafts.

Some operators pointed out that commercial rafting companies of long standing with proven safety records have suffered most, and most unfairly, from the recent accidents, which were due to operators tackling more extreme water, where the potential for loss of life is greatly increased, so that they could carve a niche for themselves. They felt that closing these high-risk rivers would be a benefit to the industry.

Some operators held that high-risk rivers account for a relatively small percentage of total user days, and that when death is the price to pay for continuing to use such high-risk rivers they ought to be closed.

Others held a different position. They felt that on certain rivers at certain water levels it was reasonable to institute closures, but to entirely close down higher-risk rivers struck at a fundamental freedom, a freedom that should not be tampered with lightly. They held that a certain level of risk is acceptable, even if it is not entirely reasonable, because of the challenge and excitement it entails. They believe that oar and paddle rafting on higher-risk rivers can be done safely, that the recent accidents can be attributed to specific deficiencies, and that the industry's generally strong track record on safety should be taken into consideration.

DISCLOSURE TO THE PUBLIC

The issue of disclosure to the public is closely tied to the issue of closures. Those in favour of allowing rafting on higher-risk rivers want their clients to decide whether to take the risk.

However, members of the public, including some who had been involved in accidents, criticized the *lack of warning* about risks, the lack of training on how to cope with a rescue situation, and the lack of information regarding the physical demands that would be required of them on the river.

Generally, the public seems to do limited shopping. Decisions are based on cost, availability of dates, what friends or business associates have booked, and what is convenient. Most do not know if there is any central authority or information centre that could provide information about rafting.

Clearly, if personal choice is to be exercised in any meaningful way, it must be based on some reliable information.

INSURANCE

In most jurisdictions in the United States commercial river rafting businesses are required to carry liability insurance. The Committee investigated the possibility and desirablity of such a requirement in B.C. Insurance lawyers believe coverage might be

obtainable, and that it would be advantageous to the industry because insurers could lobby on matters of safety and ensure a consistent policy were adopted regarding liability exclusion waivers. The presence of insurance would also generally lend credibility to the industry. However, because of recent accidents, insurance previously available might not be in the coming year.

Discussions between the Committee and American insurers showed that American insurers would be interested in entering the Canadian market. However, the present requirement that they work through a Canadian agent may impede their entry into this market.

ENFORCEMENT

Enforcement of the existing *Standards* has been inadequate. No penalties have been imposed under this system despite a number of major breaches having been brought to the attention of the provincial authorities.

Since the *Standards* were enacted, enforcement has been carried out by general duty R.C.M.P. constables acting as "peace officers" under the *Regulations*. Their presence has been of limited value largely because their other duties have had higher priority, they have had an incomplete knowledge of the rules and concerns of the industry, and offences required cumbersome proof or carried inadequate penalty.

The following points were made at meetings with local R.C.M.P. and members of the Marine Section at Division "E" Headquarters in Vancouver:

- Officers require more information and training in this area if they are to be the first line of enforcement.
- General duty constables would be most effective if their inspections of rafts concentrated on checking licences, equipment certificates, and checklists of important requirements.
- There are no acceptable standards with which to judge the quality of rafting equipment.
- Company names appearing on the side of raft positions should be more legible.
- Present powers of raft detention under Section 13 of the *Regulations*, which allows an office "to direct or prohibit the movement of any vessel in order to promote safety," seem adequate.
- It would be desirable to have a ticketing scheme for breaches of the *Standards*, whereby convictions could be secured without recourse to the Courts when the company or individual charged did not dispute the ticket.
- Enforcement would be improved if expertise were developed within the force by appointing personnel to focus on rafting issues. For example, it was suggested that an officer dealing with the enforcement of migratory birds regulation, could be seconded to cover the river rafting duties as well.
- Breaches of the *Regulations* and *Standards* require prosecution by the Federal Justice Division. It was suggested that more effective control could be exercised if a provincial authority within the office of the Attorney General were responsible for prosecution.
- It was recommended that a video be developed to instruct general duty constables on a consistent method of inspection.

The following points were made at meetings with the public and industry:

- Since the rafting industry is a tourist industry, the R.C.M.P. must be discreet in establishing their presence.
- Since enforcement officers should be knowledgeable about commercial river rafting, part-time "river rangers" might be appropriate. Colorado, which employs

river rangers to patrol commercial rafting traffic and issues fines for noncompliance, was offered as a model.

- Police inspection in the past has been sporadic and perfunctory.

OFFENCES

Currently, two general classes of offences are relevant to the rafting industry:

- *Criminal Code* offences.
- Strict liability offences attracting small fines for breaches of the *Regulations*.

The pertinent *Criminal Code* sections are given here:

a) Section 237 - Impaired Driving:

Every one commits an offence who operates a motor vehicle or vessel or operates or assists in the operation of an aircraft or has the care or control of a motor vehicle, vessel or aircraft whether it is in motion or not,

- while his ability to operate the vehicle, vessel or aircraft is impaired by alcohol or a drug; or
- having consumed alcohol in such a quantity that the concentration thereof in his blood exceeds eighty milligrams of alcohol in one hundred millilitres of blood.

b) Section 203 - Causing Death by Criminal Negligence:

Every one who by criminal negligence causes death to another person is guilty of an indictable offence and is liable to imprisonment for life.

c) Section 204 - Causing Bodily Harm by Criminal Negligence:

Every one who by criminal negligence causes bodily harm to another person is guilty of an indictable offence and is liable to imprisonment for ten years.

The offences under the *Regulations* are as follows:

Section 16:

(1) Every person who contravenes these Regulations is liable on summary conviction to a fine not exceeding $500.00.

(2) Every person who is the owner, master, operator, charterer, hirer or person in charge of a vessel that is operated contrary to these Regulations is liable on summary conviction to a fine not exceeding $500.00 unless the vessel was so operated without his knowledge or consent and he exercised all due diligence to prevent such operation.

(3) Every person whose employee or agent contravenes these Regulations is liable on summary conviction to a fine not exceeding $500.00, whether or not the employee or agent is identified or has been prosecuted for the contravention, unless the contravention was committed without his knowledge or consent and he exercised all due diligence to prevent its commission.

Neither *Criminal Code* offences, nor offences under the *Standards* or *Regulations* are particularly suitable for incidents that may occur on rivers or for handling complaints made by passengers.

Certain American jurisdictions, such as the Colorado Division of Parks and Outdoor Recreation, provide for offences akin to certain *Motor Vehicle Act* offences or to the *Dangerous Driving* Section of the *Criminal Code*. For example:

Prohibited Operation of a Raft

- Operating a vessel in a careless or imprudent manner during a commercial trip.

"Careless" or "imprudent" means without due regard for river conditions or other attending circumstances and endangering any person, property, or wildlife.

- Operating a vessel with wanton or willful disregard for the safety of person or property during a commercial trip.

  "Wanton" or "willful" means the operator was fully aware of the danger and should have realized its probable consequences, yet deliberately avoided all precaution to prevent disaster.

Such a section in the *Regulations* or equivalent provincial statute would have the following advantages:

- It is sufficiently flexible to provide for the broad range of river conditions, equipment and circumstances encountered in river rafting in this province.
- Such offences could be contained in the *Boating Restriction Regulations* or equivalent provincial statute, and so would not attract possibly inappropriate criminal sanction.
- The range of penalty (i.e., maximum two thousand dollar fine and/or six months imprisonment) would be sufficiently broad to encompass most situations.
- The Courts apply similar considerations in driving offences and are therefore aware of the issues of proof and of type of expert evidence that could be required.

Such an offence section also has a disadvantage: The Courts must apply general, subjective tests to circumstances that involve specialized knowledge and judgment. A judge might feel it is a wanton and reckless disregard for the lives and safety of others to venture forth on *any* turbulent section of whitewater.

RIVER RAFTING STANDARDS

The *River Rafting Standards* introduced in 1980 were largely effective in creating a safer industry, as demonstrated in the excellent safety record of the industry from 1980 to 1986. A general upgrading of equipment and guides also occurred throughout the industry following the introduction of these *Standards*. The detailed requirements for operating raft trips on the Fraser and the Thompson Rivers have kept these two rivers accident free.

However, the *Standards* failed to keep this industry accident free during the summer of 1987. The problems identified below may have contributed to these recent tragedies and must be addressed.

Enacting and Amending

The process required for enacting and amending the *Standards* is much too cumbersome and slow. It took almost two years for the *Standards* to be enacted following the three deaths in 1979. Subsequent amendments that included, among other things, specific guidelines for operations on the Thompson River, were initially requested in February of 1983. Despite repeated follow-up requests to Ottawa for action, amendments were not made until shortly after the 12 fatalities of 1987. To this day, the guidelines for the Thompson River have not been enacted although the industry has been operating under the assumption that they have been.

Each of the accidents that occurred in 1987 demonstrated some violations of currently accepted industry safety standards. Thus, the accidents likely would have been avoided had the *River Rafting Standards* been more up to date.

The futility of trying to have amendments made to the *Standards* and the *Boating Restriction Regulations* has so frustrated the industry that, for the past several years, it has proposed no new guidelines.

To correct the current situation, provision must be made to review and revise the guidelines under which the industry operates. In addition, there must be a process that will allow these changes to be enforced quickly either under the *Standards* or some form of provincial permit system.

Most outfitters in the province have been operating up to this time on rivers that do not have specific guidelines governing their operations. Individual choice and discretion have determined the size of rafts they use, the means of propulsion, and the degree of training required of their guides. New standards will likely require the purchase of new equipment, increased guide training, and the payment of permit fees.

Based on past experience, the Committee and the rafting industry has serious concerns about whether proposed new standards will be in place for the 1988 season. Outfitters would like to see new guidelines implemented as quickly as possible so that safety is improved, and they can respond to them in time for the next rafting season.

A Changing Industry

The original *Standards* described safety requirements for the six rivers run (Fraser, Thompson, Chilko, Chilcotin, Alsek, Tatshenshini). These are all large rivers with quite predictable seasonal flow patterns. Today, we are dealing with approximately eight times as many operators as in 1980 and an industry that primarily uses oar and paddle-powered boats on small rivers subject to large seasonal fluctations in water flow.

A number of new trips are on narrow mountain streams fed by snow melt with continuous, steep gradient; with hazards such as log jams, sweepers and numerous large boulders; and with very cold water. Thus, the opportunities for rafts to capsize and passengers to be washed from the rafts are much greater.

Our recommended revisions to the *Standards* have had to address the needs of a much larger and more mature industry and safety concerns that relate to rafting operations that have a very different style from those run in 1980.

Review of Existing Standards

The *River Rafting Standards* contain a number of problems regarding the definition of terms; the use of unfamiliar terms; and requirements for the marking rafts, construction, safety and qualification. Chapter 6 recommends specific changes needed to solve the problems identified.

(Appendix 2 contains the complete *River Rafting Standards* of August 1987.)

Chapter 6

Recommendations

JURISDICTION

The first issue to address is what level of government should be responsible for legislating a regulatory scheme for the river rafting industry.

The commercial river rafting industry in B.C. is confined by provincial boundaries; most of the participants are residents of this province; and all the outfitters and guides are based within the province except for a handful of permitted Alberta outfitters and some American operators on the Alsek - Tatshenshini River and Stikine systems near the Alaskan Panhandle. A great increase in interprovincial use is unlikely.

It would be reasonable, therefore for the regulation of this exclusively provincial industry to be in the hands of the province. Furthermore, the procedures involved in instituting standards and effecting amendments could be streamlined were the control and responsiblity for this industry exclusively in the hands of the provincial government.

It is also in the interest of the province to regulate this facet of the provincial tourist industry, and to institute sensible and responsive use allocation when the need develops. This means that matters of licensing. permitting, and general risk management would be best handled by a provincial authority.

Such an approach would be consistent with an overall provincial policy on the adventure tourist industry; it would promote efficiency in adopting, monitoring and enforcing regulation; and it would assist this component of the tourist industry to be marketed along with other adventure tourism industries.

For these reasons, this Committee recommends that the federal Ministry of Transport and the provincial Ministry of Environment and Parks resolve the issue of jurisdiction. In doing so, they should consider a recent trend in the Courts to read down those sections of the *Canada Shipping Act* dealing with pleasure boating, and they should put river rafting in the context of the provincial tourist industry.

The Committee would like to see the province recognized as having jurisdiction over all intraprovincial commercial recreational river use; the federal government could then delegate their interprovincial authority to the province to administer as it sees fit.

This would allow the province to develop a cohesive approach to managing its tourist resource, and eliminate an unnecessary level of administration at the federal level.

However, whether or not jurisdictional matters are resolved quickly, a revised licensing scheme must be put in place immediately and standards must be revised immediately, even if they must be located in the *Boating Restriction Regulations*. Otherwise, safety will be jeopardized.

DELEGATION OF AUTHORITY

If revised *River Rafting Standards* must be effected by including them in the current *Boating Restriction Regulations*, the committee recommends that the federal government take the following steps:

- Ensure authority is explicitly delegated to the provincial Deputy Minister of Environment and Parks.
- Clarify the powers of the provincial authority designate to issue, cancel, or suspend permits or licences issued in accordance with the *Regulations*.
- Specify the province's authority to collect a licensing fee or permit fee and such other fees required to deliver a provincial regulatory scheme.

- Ensure that a registrar, on contract to the provincial government and under direction of the Ministry of Environment and Parks, has sufficient authority to enforce the *Standards* and any incidental legislation affecting the commercial river rafting industry in B.C.

- Consider recognizing provincial jurisdiction over commercial river rafting businesses within its borders, and consider delegating the federal authority over international and interprovincial boundaries to the province.

ADVENTURE TOURISM

The Committee recommends that government enact a statute broad enough to encompass other adventure travel activities. While at present this act would pertain only to the rafting industry and provide authority for the Registrar of Rafting, as the need arose other adventure travel industries could be legislated under this same statute. This is consistent with our view that many activities included in the category of adventure travel have a similar relationship between supplier and public and share issues of safety, permits, licensing, training and enforcement.

THE REGISTRAR

The Committee recommends that the Ministry of Environment and Parks advertise immediately to fill the position of Registrar of Rafting. This position should be filled by January 15, 1988. In addition, the Ministry should make available seed money of $25,000 to pay expenses associated with Registrar wages, office rent and set up, printing and meetings with outfitters. Money from permits is expected to be available from raft companies to offset ongoing Registrar expenses by April 1988.

The Registrar must not be an outfitter or guide during the term of contract, but must have comprehensive knowledge of the industry as well as demonstrated administrative skills. The Committee believes that the candidates best suited for this position will have experience as a rafting guide or outfitter.

The Registrar's recommended functions are as follows:

- Control the issuance, suspension, and cancellation of licences and permits;

- Formulate special regulations relating to river conditions;

- Oversee the training and testing of guides and trip leaders;

- Provide a mechanism for industry-government liaison;

- Deal with issues relating to the public such as risk disclosure, receiving and processing complaints, and making available such written material as may be appropriate to make the public aware of the numbers of rivers being run commercially, their risks, their qualities, the names of the companies licensed to do business on those rivers, and such information as may be of benefit to the public;

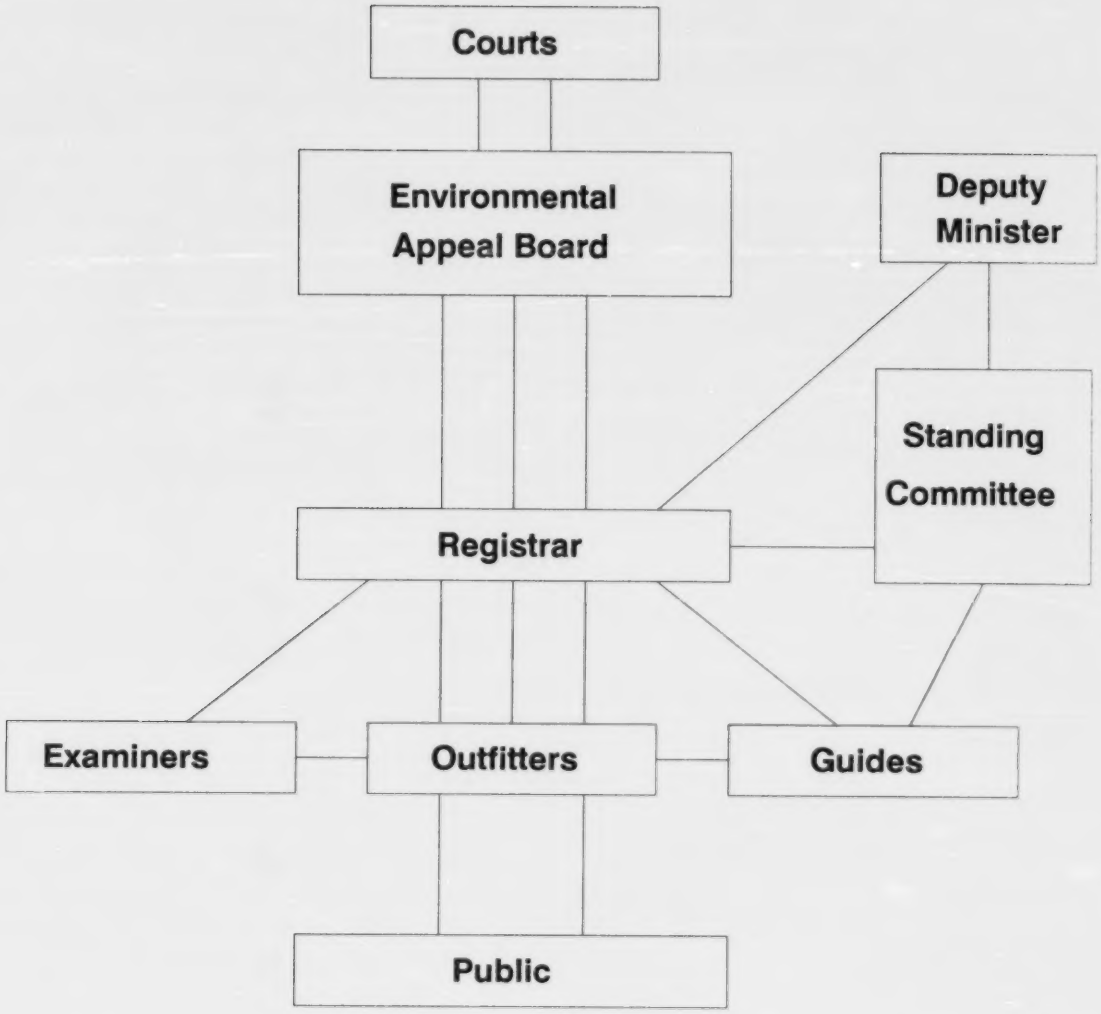
- Develop operating plans for specific rivers;

- Enforce the *Regulations* and *Standards*;

- Assist in negotiating a mutual agreement with the State of Alaska concerning safety and use allocation on international rivers.

The Committee believes that the position will require no more than nine months of employment per year. In view of this, the Committee recommends that once an individual has filled the position for a trial period, for example one season, a multi-year contract be offered for a period of perhaps three years (e.g. nine months per year for each of three years).

The Committee believes that there are individuals who are qualified for the position who could work in such an employment arrangement to their other business or work responsibilities.



Proposed Administrative System

STANDING COMMITTEE

The Committee recommends establishing a Standing Committee on commercial river rafting. Such a committee would –

- Give the industry a recognized means of providing input and thus formally recognize their importance.
- Oversee the operations of the Registrar and report on his performance to the Deputy Minister on an annual basis.
- Be available to receive complaints from guides concerning the Registrar or outfitters and report to the Deputy Minister on these matters.
- Be a resource for the Registrar, similar to the Standing Committee in the State of Maine.
- Review accident reports.

The Committee should be composed of two guides, one outfitter, one representative of the Training Society, and two other members from the public.

It should meet semi-annually to discuss matters of safety and report annually in writing to the Deputy Minister or the legislative assembly. Each member should be paid by the Ministry of the Environment a uniform fee for services rendered at these meetings.

PERMIT SYSTEM

Structure of the Permit System

The Committee recommends that a regulatory system be adopted that is based on a licensing scheme. This ties enforcement to the privilege of operating a river rafting business on public waterways, and thus clearly puts the responsibility for safety on the shoulders of the industry.

There are two opinions regarding how such a regulatory scheme could be implemented: one says it could be done under the existing *Boating Restriction Regulations*; the other says it could be done under a provincial statute similar to the *Wildlife Act*. Though the content of the scheme would be the same under federal or provincial authority, the Committee believes it would be more responsive if it were under the provincial authority.

The Committee recommends the following:

- The government should put in place an effective permit and licensing scheme.
- A position of Registrar of River Rafting should be created to administer the scheme.
- Criteria such as safety record, past experience, professional references, equipment standards and financial responsibility should be taken into account when issuing permits.
- Fees should be attached to licences.
- The licensing scheme should allow for attaching specific operational requirements to a permit in designated rivers.
- Permit holders should be monitored by the Registrar and by peace officers acting in cooperation with the Registrar.
- Procedures should be put in place to allow the Registrar to suspend, cancel, or refuse to issue a permit.
- The administrative scheme should allow for an appeal of any order of the Registrar to an appointed tribunal. That need might be filled by allowing such appeals to go to the Environmental Appeal Board. However, the Committee recommends that a single tribunal be considered to deal with issues common to the entire adventure tourism sector.
- All rivers in British Columbia should be closed to commercial river rafting unless approved by the Registrar. Applications should be accompanied by a fee and an

operating plan. All applications should be considered for approval by the Registrar.

- The Registrar should have the power to levy fines. However, his ability to do so rests on the resolution of jurisdictional issues.

- Permits should carry a three-year term and fees should be paid annually.

Cancellation of Permit

The Committee recommends that, where an outfitter or guide commits a breach of the *Boating Restriction Regulations* or the *Standards*, or other relevant statute or regulation, or has established a practice of deficient operating standards, the Registrar may, at his discretion, suspend that outfitter's or guide's permit.

Following such a suspension, the outfitter or guide may apply to the Environmental Appeal Board or such other tribunal as may be designated for a stay of the suspension pending a formal hearing or appeal.

The Registrar may exercise broad, unfettered discretion but should be reasonable and consistent in applying his suspension and cancellation powers. He should provide an opportunity for the parties to be heard wherever possible, and should consult freely with the Standing Committee and industry experts should the need arise.

TENURED PERMIT SYSTEM

The Committee's view is that no form of tenure is appropriate at this time. No evidence was found that any river is stressed by overuse, and other reasons put forward for a system of tenure did not seem to justify restriction of the normal processes of free enterprise.

Government should consider the possibility of implementing a system of tenured permits in the future should use allocation becoming a more pressing issue.

FEES

After hearing arguments for and against fees, the Committee felt that they were appropriate to offset the costs of operating the office of the Registrar, preparing Special Provisions for each river, and preparing and overseeing an examination process. The Committee also felt that requiring fees for a rafting permit would impose a level of financial commitment that is presently lacking and could prove desirable.

The industry would like permit fees to be based on the number of guests carried. But such a scheme would be administratively unwieldy. Usage would have to be estimated at the beginning of the season, with the outfitters prepaying the whole amount to ensure the money was collected. Then the *actual* number of passengers would have to be determined at the end of the season. This would require a great amount of work on the part of some governmental agency, would be open to abuse by the outfitter, and could lead to strife within the industry if some operators felt that others were reporting inaccurately.

The Committee considered a scheme in which outfitters would pay more to operate on "A" class rivers. This has a number of advantages but was extremely unpopular with the industry. Thus, the Committee arrived at the following scheme:

> The outfitter should pay a fairly high fee of $1,000 for the first permit applied for and a nominal fee of $300 for each subsequent river.
>
> These fees should not impose undue economic strain on any serious operator, and they may reduce the number of rivers an operator runs. This would be an advantage, since the guides would have a better opportunity to become familiar with their runs.
>
> Permit applications and fees should be submitted to the provincial government by January 1 or a late filing fee of $5 per day should be applied.
>
> In addition to these fees, a $50 fee should be levied for each guide and trip leader to

be licensed. These fees should be submitted with the licence application. These fees would help compensate for the processing and record keeping involved in the licensing scheme.

A fee of $250 to be submitted should one or more companies apply to have a new section of river opened to commercial rafting.

APPEALS

This industry will not produce enough disputes to warrant the creation of a special appeal tribunal. Thus, the Committee recommends that the Environmental Appeal Board hear appeals regarding orders of the Registrar. This Board deals with issues under the *Water Act* and the *Wildlife Act*, as well as other matters, and is familiar with issues of administrative law. (See Appendix 13 for procedures before this Board.)

However, the provincial government should consider setting up a single tribunal to handle issues arising out of the adventure tourism industry in general.

CLOSURES

The Committee felt that closures on certain rivers due to unacceptably high levels of risk would be appropriate in the interests of safety and should be included under the Special Provisions section of the *Standards*. For some rivers, closures would be in place at all times; other rivers might be closed during periods of high water.

INSURANCE

The Committee recommends that the industry continue to gather information concerning insurance and that government assist in what manner it can to place insurance. Only after that process has taken place successfully should government consider passing regulation to require an outfitter to carry insurance as a term of permit, or pursuant to the *Boating Restrictions*, unless the outfitter can provide written proof that he is unable to secure insurance.

ENFORCEMENT

With regard to enforcement, the Committee recommends the following:

- The revised *Standards* should be enforced through the coordinating office of the Registrar of Commercial River Rafting.
- A system of tickets should be implemented for lesser offences under the *Standards*. (See Appendix 11 for a system in use in Colorado.)
- An offence section should be created making it an offence to operate a raft in a careless or imprudent manner calling for fines of up to $2,000 and/or six months in jail.
- An offence section should be created making it an offence to operate a raft with wanton or willful disregard for the safety of persons or property during a commercial trip and calling for fines of up to $2,000 and/or six months in jail.
- An offence section should be created under the *Regulations* or a provincial statute calling for fines of up to $2,000 and/or six months in jail for operating a commercial raft trip without a permit.
- An offence section should be created under the *Regulations* or a provincial statute calling for fines of up to $2,000 and/or six months in jail for posing as a permitted commercial operator, contrary to fact.
- Conservation officers could be used to issue tickets rather than R.C.M.P., who may be called upon to investigate more serious matters.
- Police and prosecuting functions should be coordinated by involving the Registrar.

- The Registrar should be able to suspend or cancel permits and licences.

INTERNATIONAL RIVERS

Two international river systems are being commercially rafted at the present: The Alsek - Tatshenshini and the Stikine, both in the region of the Alaskan Panhandle. Commercial operators on each system offer lengthy wilderness expeditions with great scenic appeal.

While an allocation and permit system is in place on the American side, there are no licence fees nor minimum standards for guides.

The Committee believes it would be inappropriate to unilaterally impose restrictions on these American outfitters on the Canadian side when no such restrictions are imposed on the American side. By the same token, it would be unfair to the Canadian outfitters to impose restrictions on them but not on their U.S. counterparts. And, to date, no casualties have occurred on commercial trips on these systems, and current permit holders seem to have been operating responsibly in the past.

Therefore, the Committee recommends that these international rivers be exempted from the provisions of Schedule II of the *Standards* for the 1988 season with the following exception: companies must have operating permits issued by the Registrar (with such Special Provisions attached as the Registrar sees fit) and pay a licensing fee of $300.00 for the season of operation.

Further, the Committee understands that the Alaskan authorities want to put safety standards in place and, to that end, the two governments should negotiate mutual safety standards to be in place by December 1, 1988.

ALLOCATING RIVER USE

Rivers in British Columbia do not, at present, require an allocation scheme. The Committee was divided on whether a system should be in place so that the province could deal with environmental, administrative and foreign use problems as they arise. The Committee examined the following proposals:

- that the government issue residential recreational user licences to British Columbians at a cost of $10 per person per river run.
- that the government issue nonresidential recreational user licences to all others at a cost of $10 per person per river run. The licences should provide for a sworn declaration stating that the holder is not part of a commercial river raft trip.
- that these licences be put in place for different rivers as the need for them arises, and that they be required for the Thompson and Chilliwack Rivers since these rivers are experiencing heavy use by local and nonresident rafters.

These licences could be made available at border crossings and at stores in the Thompson-Caribou-Chilcotin regions with penalties in the form of ticketable fines for noncompliance.

Following the first season of use, the system could be reviewed by the Registrar and a Standing Committee with recommendations being made to the Deputy Minister of Environment and Parks on the continuation or expansion of this program. This system has the following advantages:

- It would provide data that could be used in the future should tenured permits be considered.
- It would provide data for an allocation system in the future.
- It would assist in the maintaining of the regulatory scheme.

The Committee recommends that the provincial government not implement such a scheme until the need to allocate use becomes more pressing.

NONCOMMERCIAL USE

The Committee recommends the use of a "NonCommercial Whitewater Rafting Registration" form at border crossings requiring a declaration from each member of a party that the trip is not commercial. (See Appendix 14.)

If a company or individual is in breach of this section, they should be subject to fines, prosecution under the *Regulations* or under the Criminal Code, and impoundment of equipment. The Committee recommends that B.C. residents have unrestricted noncommercial rafting use of B.C.'s rivers.

DISCLOSURE TO THE PUBLIC

The Committee recommends that information concerning river rafting become more accessible to the public. To that end, the Registrar should oversee or contract the preparation of published materials clearly setting out the risks and benefits attached to rafting each river commercially run in the province.

As well, it is anticipated that the Registrar's office will become the focal point for information about the industry on safety related issues.

The Committee recommends that rafting brochures identify which rivers are Class "A" and point out that these rivers involve a greater degree of risk and may not be appropriate for all passengers.

RIVER RAFTING GUIDELINES

While we have some of the most attractive and challenging rivers in the world, we also have some of the most hazardous river-running conditions to be found anywhere. Thus, the Committee's recommendations impose a very conservative model on the rafting industry to ensure that guidelines exist that will produce safe rafting trips with a high degree of repeatability.

While some highly skilled river-running guides can repeatedly run difficult rivers without encountering problems, less skilled guides may not be able to do so. The Committee questioned the need to engage in running high-risk rivers when passengers could be given a satisfying experience on less hazardous rivers, and looked with skepticism on activities that put passengers in situations of unacceptably high risk. The Committee felt that, by doing so, it was protecting not only the public from injury or death, but also the industry from a repeat of the financial hardships that followed the rafting deaths of 1987.

An initial review of the revision process indicated the need to develop a classification system to allow similar types of rivers to be dealt with as a group. Several types of river running classification schemes are currently being used:

- The International River Scale. This system grades rivers from 1 to 6 according to the difficulties in navigating the river. It is universally used by kayakers and canoeists and is often referred to by rafters in discussing a river.

- Local rafting scales such as used on the Grand Canyon (the rapids are categorized from 1 to 10). These scales sometimes indicate the thrill level to the participant as well as possibly identifying the difficulty a raft guide will have in navigating such a rapid.

The Committee felt that a scale is needed that identifies the potential RISK TO LIFE of a particular river or section of a river. The Committee, therefore, recommends a new scale be developed. So that this scale will not be confused with other classification systems, it will grade rivers as "A","B" or "C". These grades are described below.

"A" Class River: High Hazard

These rivers or sections of rivers may have the following characteristics. (Whenever the characteristics of a classification refer to *the river*, this means *the river or section of river.*)

- Advanced river running skills are required to navigate the rapids and hazards in the river consistently without capsize or passengers falling out of the raft.
- A remote wilderness setting or difficulty evacuating injured participants increases risk to life.
- The river has identifiable life-threatening hazards that cannot be consistently avoided by all rafting guides.
- In the event of capsize or passengers leaving the raft, the river has sufficient gradient to make long swims possible, and the river is sufficiently cold to constitute a risk to life.
- Generally, these rivers would be classified under the International River Scale in the range of Grade 3+ to 5+.

"B" Class: Medium Hazard

These rivers may have the following characteristics:

- If a raft flipped or passengers fell out at any point in the river, there would be no immediate risk to life.
- Newly permitted "B" class river guides could consistently navigate the river in a competent manner.
- Extended swims in the river are unlikely or the river is sufficiently warm and of such slow speed that extended swims would not constitute a threat to life.
- Generally, these rivers would be classified under the International River Scale as Grade 2 to 4-.

"C" Class River: Minimal Hazard

These rivers may have the following characterisitics:

- No identifiable risks to life exist.
- A guide with minimal training could safely navigate the river competently and the likelihood of a raft capsizing or of passengers falling out of the raft or suffering injury are minimal.
- Generally, these rivers would be classified under the International River Scale as Grade 1 to 2.

Presently, no "C" rivers are being used for river rafting in B.C. "C" rivers are included in the event that low hazard rivers such as the Harrison River near Vancouver gain popularity with people who wish a drift raft trip with no rapids.

The classification scale recommended is subjective, but when applied to well-known rivers, it is relatively easy to classify them. For example, the Chilko River would be classified as an "A" Class river because it is a large-volume river with steep gradient, large standing waves and boulders, and large "holes" and other hydraulic features to be avoided. It is in a remote area where evacuation would be difficult. In the event of capsize, swimmers would be in extremely cold water and would be subjected to a long swim due to the continuous nature of the rapids.

By contrast, excepting possibly short periods of high water, the Thompson River would be a "B" Class river. Its rapids generally exit into stretches of fast-moving current without excessive turbulence where swimmers could be collected. Rapids are obvious and can be seen from well upstream and can be handled with reasonable competence by novice guides. A road runs by most of the river and evacuation and hospital facilities are nearby.

When this classification system was presented to the outfitters in the industry, it was readily accepted.

This system allows uniform safety guidelines to be applied to similar rivers and allows a two-tiered guiding system to be developed that will insure that expert or "A" Class guides are employed to operate rafts on the more hazardous rivers in the province.

REVISION TO EXISTING STANDARDS

This Committee and the industry believe strongly that revising the *River Rafting Standards* will increase the level of safety in today's industry. This belief rests on the success of the *Standards* introduced in 1980 as demonstrated by the industry's excellent safety record from 1980 to 1986, and on the positive attitude within the rafting industry toward creating more stringent guidelines.

Appendix 3 contains the complete *Proposed River Rafting Standards* recommended by this Committee. The remainder of this section contains specific recommendations pertaining to the existing *Standards*, recommendations regarding additions to them, and the reasons for the recommendations.

Interpretation (Section 2)

Industry members pointed out that they did not understand some of the terms ("becketed", "quoit", etc.) in the original *Standards* and that several formulas (e.g. for capacity) made little sense. Believing that understanding promotes compliance, the Committee has tried to ensure that recommended changes to the *Standards* use language that industry understands.

- Delete definition of "A.S.T.M." since this term does not occur in the *Standards*.

- When discussing operational requirements, the Committee recommends that Section 32 of the *Standards* be deleted. Since it contains the only reference to C.S.A., the definition of "C.S.A." in the interpretations section should be deleted.

- *Raft* should be defined to provide clarification.

  > A *Raft* is a vessel supported by inflatable sections on its perimeter designed to carry passengers and be propelled by oar, paddle or motor.

- *Dory* should be defined so the Registrar or other designated provincial authority will be able to deal with the possible future use of dories on whitewater rivers.

  > A *Whitewater dory* or *dory* is a rigid vessel with flat bottom, flaring sides and raised bow and stern, propelled by oar or motor, designed and constructed to carry passengers down a river.

To our knowledge, dories have not been used in B.C. on commercial trips on rivers restricted up to 1987 under the *Regulations*. However, someone might decide to operate commercial dory trips down a whitewater river such as the Thompson.

Dories are used on many other provincial rivers and are popular methods of commercially guided river travel in other areas, such as the Grand Canyon of the Colorado River, the Rogue River, and the Snake River. They are used in B.C. for drift fishing trips on rivers with minimal levels of whitewater (e.g. parts of the Dean River and the Blackwater River). The *Standards* should not legislate on such uses of dories, but should provide for the regulation of possible commercial dory trips on whitewater rivers in the future. If this occurs, the safety requirements provided for in the *Standards* could then apply to dories on whitewater rivers as they would to rafts.

- *Inflatable kayak* should be defined so the Registrar or other designated provincial authority will be able to deal with the use of inflatable kayaks on whitewater rivers.

  > An *inflatable kayak* is a vessel with inflatable side tubes, pointed at both ends and generally with an inflatable floor designed for one or two persons to paddle.

Inflatable kayaks are a popular form of commercial river travel on some rivers such as the Rogue in the United States. Generally, they are rented out to the public who paddle them with one or more guides in attendance in other kayaks or rafts.

Since a B.C. raft outfitter has already introduced this form of commercial river

travel to local rivers the *Standards* should provide for them in case it becomes necessary to regulate them in the future.

- The definition of *trip* should be amended to read as follows:

  > A *commercial raft trip* is a trip in which rafts are used on a river or waterway for the purpose of financial gain or other valuable consideration. This definition includes, but is not limited to, transporting of persons or goods for a fee, training of guides, rental of rafts or an unequal distribution of raft trip expenses to the benefit of an individual or company.

  This definition of *trip* addresses the issue raised by the industry regarding trips that pose as being private but are actually commercial in nature. This definition will ensure that all raft trips for which there is some valuable consideration fall under the *River Rafting Standards* and meet the appropriate safety requirements.

- A definition of *travelling together* should be included in the interpretation section and read as follows:

  > *Travelling together* means two or more rafts are in visual contact with one another and, by mutual agreement, form a group in which each raft is aware of the other rafts in that group and has assumed a responsibility for their safety.

  This term appears in several places in the *Standards* and needs to be defined so that rafts that are coincidentally in sections of the river at the same time cannot claim to form a safety unit.

Equivalents (Section 3)

- The Equivalents section could include the following statement to allow the Registrar or the designated provincial authority to include dories and inflatable kayaks under the Standards:

  > These *Standards* shall apply only to rafts except in specific situations where the designated provincial authority has decided to include whitewater dories. In situations where whitewater dories are included, the words "whitewater dory" shall be interchanged with "raft(s)" wherever it appears, and all the conditions in these *Standards* shall apply to "whitewater dories" except sections 6,7,8,10 and 15(c), which deal with matters relating to the inflation of rafts.
  >
  > In situations where the designated provincial authority deems it necessary, a permit may be required to operate inflatable kayaks on certain rivers. In such a situation, guidelines for the safe operation of these craft shall be developed and incorporated in the Special Provisions for those rivers.

Marking (Section 3.1)

- Section 3.1 (a), which requires that each pontoon of each raft be marked, should be replaced with the following:

  > A river raft used or operated by the permit holder shall be clearly marked with the name of the company to whom the permit was issued and a number that differentiates each raft and pontoon from all other rafts and pontoons used or operated by the permit holder.

  The reference to pontoons in the *Standards* reflects the situation in 1980 when primarily motorized rafts with pontoon outriggers were used. Including the requirement to mark all rafts as well as all pontoons will produce the desired result of having a way to identify each inflatable raft or section of raft being used in the industry.

- Markings should be required to be 20 centimetres high rather than 50 millimetres so that rafts travelling down a river can be seen clearly at distances of 50 to 100 metres by an observer on shore.

- To ensure it is understood that all rafts as well as pontoons must be marked, the following should replace the present wording:

  ...situated on the outside of the pontoon or raft so that the number is clearly visible from each side of the vessel.

  When motorized rafts were principally used, pontoons formed the exterior of nearly all rafts. That is not the case any more and needs to be reflected in the language of any new *Standards*.

Construction (Sections 4 to 10)

- Section 6, which deals with construction materials should be deleted.

  The materials used in constructing river rafts has never been considered a significant safety factor on the rivers. While life-saving rafts must be constructed to survive conditions at sea, many miles from shore for many days, river rafts are never more than 50 metres from shore. Furthermore, the industry does not know if their rafts meet the qualifications outlined in Section 6 of the *Standards* and does not have an accessible testing mechanism to determine this.

  It is quite likely that the large number of rafts comprising the motorized raft fleet in this industry would not meet this standard. These rafts are perfectly suited to the job they perform as has been demonstrated in fifteen years of use on Canadian rivers and thirty years of active commercial use on major rivers in the United States.

  It would create unnecessarily severe economic hardship to remove these rafts from the industry, and it is unlikely that replacement rafts would be any safer. The subjective requirement that a raft be able to withstand the riquors of the river imposed by Section 4 of the *Standards* is sufficient to qualify the rafts being used.

- *Painter* should be replaced with *bow line*, which is understood by the rafting industry. In addition, the length of bow line should be described as "twice the length of the raft". This requirement will ensure enough line for a guide to carry the bow line should he jump off the stern of the raft onto shore.

- *Becketed* should be replaced with *fastened* to be more easily understood. In addition, the wording of this section should be changed as follows so it is clear that a person who has fallen from the raft should be able to readily grab a line or strap on the exterior of the raft:

  (b) A line be fastened around the raft or safety straps positioned around the raft so that they can be used as handgrips and reached by a person in the water from any position along the exterior of the raft.

  (c) Lines, straps or other handholds fastened inside the raft and positioned so that they are readily accessible to each person.

- Section 10 requires that rafts be tested at the beginning of the year. Since rafts are subject to damage during the season, this does not ensure a safe raft. Thus, the preamble in Section 10 should be revised as follows:

  Each raft shall be capable of passing the following tests:

- Section 10 (a) should be deleted. It requires that a raft be inflated to 112.5% of its manufacturer's recommended pressure. It is unlikely that a company owner or peace officer would be able to accurately perform this test or that the test would provide a significant measurement of the suitability of that raft for safe travel on the river.

  The test would require rafts that have a manufacturer's recommended pressure of 2 pounds per square inch to be inflated to 2.25 p.s.i. This measurement could not be made with any degree of accuracy with most pressure gauges. Furthermore, the low level of stress imposed by inflating to a pressure of 2.25 p.s.i. would not likely

provide much information about the ability of this raft to withstand more riguorous conditions.

The wording of Section 10 (b) should be replaced with the wording given below. This will provide useful information regarding the ability of the raft to hold air for a significant length of time:

> All chambers shall be inflated to working pressure and allowed to stand for 30 minutes without losing pressure.

Capacity (Sections 11 and 12)

- Section 11, which deals with weight capacity of rafts, should be deleted. It specifies a formula that is difficult to apply to rafts in use and does not practically test for the types of weight capacities that are considered safe. When this Committee applied this formula to a 22-foot motor raft, the result was a capacity of approximately 7,500 kilograms. This would translate into roughly 65 people and all their luggage for an overnight trip. This is approximately five times what the industry would consider to be a safe load.

- Section 12, which deals with person capacity of rafts, should be replaced with the statement given below. As it stands, it specifies a capacity formula that is difficult to apply to the rafts in use and does not produce capacity limits considered to be safe.

  When this Committee applied this formula to a 22-foot motor raft, the result was a maximum capacity of 64 people. The industry considers 15 to 20 persons a maximum load for this type of raft.

- The following statements should replace those in Section 12 to provide guidelines for capacity limits for weight and numbers of person aboard a raft.

  (1) No raft shall be loaded with persons and equipment exceeding the weight capacity determined by the manufacturer.

  (2) The number of persons aboard a raft shall not exceed the number determined by the manufacturer.

  (3) There shall be sufficient space on board the raft so that all persons, except the guide, can be adequately seated considering all circumstances including river conditions, raft design and method of propulsion.

  These rules come from the management guidelines for river rafting in New Zealand and seem to adequately describe the operational requirements for safe loading of rafts.

Machinery (Sections 13 to 15)

- Section 13 describes securing fuel tanks. The wording and its inclusion under the heading "Machinery" suggests that fuel tanks aboard these vessels are fixed or built in. This does not describe well the outboard fuel tanks carried aboard these rafts and secured in place before each trip. For this reason, securing of fuel tanks should be dealt with under the general provision to secure equipment contained in Section 26.

Equipment (Sections 16 and 17)

- The Committee recommends that the present requirements for lifejackets remain basically unchanged with the following exceptions:

  (i) Adults and children weighing less than 90 pounds may wear approved Small Vessel lifejackets.

  (ii) Guides on oar and paddle trips may wear approved Small Vessel lifejackets.

  (iii) Lifejackets manufactured after January 1, 1988 must have crotch straps unless the outfitter can reasonably demonstrate that such lifejackets are not available.

(iv) There shall be at least one spare lifejacket for every two rafts travelling together.

The question of what constitutes an adequate lifejacket for this industry was the focus of extensive research and discussion. Raft passengers are safe until they fall into the river, when they rely on their lifejacket to ensure their survival.

Although the Coroner's report is not available for the Chilko River incident, apparently one of the bodies was found with no lifejacket on. Similarly, on the Elaho, a lifejacket was not on one of the victims, although here the situation was complicated by this victim having passed under a logjam. Was a contributing factor in these deaths some inherent problem with the lifejacket that allowed it to come off the victim's body?

The only lifejacket presently being manufactured for the rafting industry in Canada is a poor-fitting product. It is manufactured by Ancient Mariner of Vancouver as a Standard lifejacket, which means it must meet some design constraints that inhibit the ability of the jacket to adhere well to the body when a person falls into a river.

Specifically, this jacket is closed around the body by a tape tied at the top and bottom of the jacket and a strap around the middle. When people jump into the river, particularly people weighing less than about 150 pounds, the lifejacket rides up over their heads and does not offer the full support of its flotation.

Lifejacket manufacturers assisted our research and turned up some facts to guide us:

- Amount of flotation is the single most critical factor in survival. For men at sea in storm conditions, a 35-pound lifejacket is considered minimal and up to 60 pounds is recommended.

- The forces exerted on a swimmer in a river are difficult to measure, but some experts believe that undercurrents and whirlpools could at times exert downward pressures that would require lifejackets of 100 or more pounds flotation to keep the victim at the surface.

- The Personal Flotation Device (PFD) classification, which allows the most latitude in designing a jacket that fits well and tightly, does not require that the jacket always be able to roll an unconscious victim to a face-up position.

The industry asked that the Committee allow the use of the PFD or the Small Vessel Regulation classification of lifejackets when making recommendations. But these findings make it impossible to recommend any reduction in the amount of flotation in the lifejackets being used since this is critical to the survival of a victim in the water. And since the PFD classification of lifejacket does not ensure that an unconscious victim would be rolled to a face-up position, such a jacket could not be considered satisfactory.

The Committee concluded that the Standard lifejacket or a Small Vessel lifejacket that meets the buoyancy and performance requirements of a Standard lifejacket would be satisfactory.

However, the present Standard is remiss in not allowing provision for a better fitting Small Vessel Regulation lifejacket for children and other persons weighing less than 90 pounds. The present Standard lifejackets fit these people very poorly and have a high probability of going over their heads or coming off. In a private rafting accident on the Thompson River, a child was fitted with an adult lifejacket; when the raft flipped, he came out of the lifejacket and drowned.

The Committee felt that guides on oar and paddle powered rafts were justified in the desire to wear Small Vessel Lifejackets that would allow them more freedom of movement in performing their job. Many guides in the industry already use PFDs or

22-pound lifejackets of American design when guiding in oar or paddle craft. Furthermore, Colorado regulations permit lower flotation for guides.

Since the amount of flotation required of a Standard lifejacket is necessary for safety, ways need to be found to improve the Ancient Mariner product now being used in the rafting industry. However, lifejacket manufacturers are reluctant to produce a new lifejacket for the Canadian rafting industry because of a major lawsuit in the United States against the Stearn lifejacket company. Also, because the rafting industry is relatively small, it is uneconomical for a manufacturer to develop a jacket especially for the industry.

Given the present design of the Ancient Mariner lifejacket the best, most easily introduced design change would be the introduction of crotch straps. These would assist in keeping lifejackets from riding up over the heads of, or coming off, victims in the water. We also suggest consideration be given to substituting Fastex or other mechanical closures that can be easily manipulated by cold hands in place of the present straps used to tie lifejackets closed.

Since the tapes that tie together the Ancient Mariner lifejacket can be ripped off, buckles for fastening the middle strap around the lifejackets can be lost, and other parts of the jackets can fail, the Committee felt that spare lifejackets should be carried with each rafting group.

- The St. John Ambulance standard first aid kit should be adopted as the acceptable level of supplies for each raft.

  This kit is complete enough to deal with all common situations on the river and will be acceptable to the industry as it fits easily into the ammunition boxes carried aboard river rafts. Requiring an accepted industry level of first aid supplies rather than putting a list of supplies in the *Standards* allows this first aid kit to evolve and stay current with developing first aid practices.

  The Committee considered requiring a more extensive first aid kit to be carried with each group of rafts to allow for situations such as intense bleeding, shock and fractures. However, discussion with experts at St. John Ambulance indicated that, if one standard first aid kit were carried on each raft, adequate supplies would be available in a rafting group of two or more rafts to improvise solutions to these problems.

- Section 16 (c) requires two spare paddles. This requirement should be reduced to one paddle so that there is a minimum of extra equipment that could impede or injure passengers. On more intense whitewater rivers, where the likelihood of losing paddles is greatest, rafts should be capable of being propelled by oars as well, reducing the need for spare paddles. This recommendation is discussed later in this section.

- Due to the weight of motorized rafts, the provision for these rafts to be propelled by paddles should be eliminated. In instances where they could be propelled by oars, this section should be rewritten to ensure that the oars are always ready for action. This section should also include a provision for at least one spare motor for every three rafts:

  > Rafts propelled by a motor must have either one spare motor in working order of a minimum 15 kW (20 HP); or one spare motor for each three rafts travelling together and thole pins or oarlocks and a rowing seat fixed in place and a minimum of two oars readily accessible on all rafts in the group.

- *Quoit*, which appears in Section 16 (d), is not commonly used. It should be replaced with *throw bag*, which is the accepted standard in the industry for a heaving device.

  A throw bag is buoyant and contains a coiled line that throws and uncoils in an extremely effective manner. Throw bags

are readily available at all kayak stores and whitewater rafting suppliers.

In addition, the required length of heaving line must be reduced to a length commonly used in throw bags, which is known to be a length that can be tossed without tangling. Thus, this section should read as follows:

(d) a buoyant heaving line of a minimum 15 metres in length, flexible under ordinary circumstances of wetness and temperature, attached to a buoyant throw bag or other buoyant heaving device.

- The Committee recommends that a new Section be added to the *Standards* requiring that all rafts with sealed floors carry a bailing bucket and that these buckets have a minimum capacity of 15 litres.

- The Committee recommends that a spare fuel tank and an attached fuel line be required for every group of rafts propelled by motor. Motorized rafts have been known to have river water wash into a gas can and contaminate the fuel. Rafts have also been known to run out of fuel or experience problems resulting from leaks in the fuel lines at the connection fittings or ripping of the fuel line through abrasion or fatigue.

- The Committee recommends that the following new provisions be added to the *Regulations* to guide the operation of paddle rafts on hazardous rivers:

  Any raft powered by paddles operating on a river requiring "A" Class guides and Trip Leaders under the Special Provisions for that river shall also be rigged with a rowing frame, rowing seat and oars in a fully operational manner and ready for immediate use unless it can be demonstrated to the designated provincial authority that such a provision is not required for a particular river. Such an exception shall become a part of the Special Provisions for that river.

The Committee gave a great deal of consideration to this recommendation. While rafts propelled only by paddles on difficult rivers is popular in the United States and other jurisdictions such as New Zealand, it seemed inappropriate in British Columbia where log jams, extremely cold water and fast-flowing, high-volume rivers may impose more difficulty and risk.

The Committee had concerns as well about the reliability of untrained passengers as the primary means of propulsion on difficult whitewater rivers. Furthermore, when people are paddling, they are unable to hang onto safety straps and are much more likely to fall into the river.

When the public agrees to participate in paddle trips on expert rivers, it is unlikely that they fully comprehend how important their individual effort is to keeping the craft from capsizing or avoiding other perils. The evidence of the survivors at the Elaho inquest substantiated this: they said they would not have participated had they known their efforts would be needed to keep the raft out of trouble.

The addition of oar power to paddle rafts on expert rivers gives the guide the opportunity to take full control of the raft and manoeuvre away from danger without relying on the assistance of the passengers. It also gives passengers the opportunity to hang onto safety straps to insure that they stay inside the raft.

This is not a popular decision as it affects the manner in which a number of the companies operate their trips. However, trips relying entirely on paddle power on expert rivers that require the skills of "A" Class guides and trip leaders are unlikely to be repeatedly run without an unacceptably high degree of risk to life.

Raft trips propelled entirely by paddle are a desirable part of this industry and are generally at an acceptable level of risk when run on "B" Class Rivers.

Operational Requirements (Sections 18-32)

- Section 20 should be deleted. It requires that children, the infirm and those who have impaired health be warned of the hazards of rafting. The industry strongly objects and does not give this warning. The disclosure of risk required under section 21(a) should be sufficient to inform the public of the hazardous nature of the trip they are about to undertake.

- A section should be added that requires all guides to wear a knife that is in working order. Since rafts have various handlines and other ropes for securing baggage, entanglement is a risk in the event of capsize or a passenger falling from the raft. Immediate access to a knife to free a tangled passenger could be critical.

- Section 23 should be amended so that lifejackets need not be worn on portions of rivers that the outfitter is able to demonstrate beyond all reasonable doubt have no identifiable hazard:

  > Every person on a raft shall at all times wear an approved Standard lifejacket or approved small vessel regulations lifejacket unless it can be demonstrated to the designated provincial authority that a portion of a river is free of hazard and an exemption is allowed under the Special Provisions for that river.

- Section 24 should be amended to require that warnings about rapids be given when a raft is approaching a rapid or series of rapids. The present requirement for a warning before each rapid is impractical. Thus, outfitters cannot help but be constantly in contravention of this section.

  Guides commonly give safety information and precautions at several points during a trip when they are approaching major stretches of rapids. On many rivers, there is simply no time between rapids for such a discussion, or it may not be possible to conduct such a discussion over the roar of the river or the sound of a motor. It is sufficient for guides to yell "hang on" or make similar comment when approaching a section of whitewater. Thus, Section 24 should be amended as follows:

  > When a raft is approaching a rapid or series of rapids, the guide or Trip Leader shall advise all persons on board.

- Section 27 should be expanded as follows so that no alcohol or drugs could be consumed at lunch or other stop:

  > No illegal drugs shall be consumed by any person on a raft trip. No alcohol shall be consumed by any person on a raft trip until the raft has stopped for the day.

- Section 28 should be amended to employ wording presently used in other statutes.

- Section 32 should be deleted so that it is left to the Special Provisions for each river to dictate whether helmets are required.

- This Committee feels that a minimum of two rafts on a trip is an essential safety requirement. Such a provision should read as follows:

  > The minimum number of rafts on any trip shall be two, except where it can reasonably be demonstrated to the designated provincial authority that a raft travelling alone or another form of support craft is adequate.

- Any form of river raft could have problems, given the right circumstances. In many cases, some form of assistance from another raft could provide a critical safety margin. If another raft had been in the Cascade River Holidays group on the Fraser River in 1979 all the passengers could likely have been pulled from the river and three lives would have been saved.

  In some other jurisdictions, kayaks are considered to be acceptable support boats for single raft trips. They are most suitable on rivers that are "drop and pool", where the body of water below a rapid involves a long stretch of slow-moving current with

no hazards. This situation exists on the Ottawa River in Ontario and many rivers in the United States, but generally, it does not exist on British Columbian rivers due to the precipitous gradient of our mountainous rivers.

Nonetheless, it seemed appropriate to leave a provision for outfitters to prove that it would be safe on some stretches of river for a solo raft to have no support boat at all or to use some other form of river craft, such as a whitewater kayak, for support and possible rescues.

- A category should be added to the Standards that provides a more general statement regarding safe operation of river rafts similar to provisions that exist for reckless driving of cars. Such a statement would provide a fair degree of latitude for acting on evidence of careless and reckless rafting activities before accidents occur. The following statement has been adopted from the act governing regulation of rafting activities in the State of Colorado:

  > No guide, trip leader or river outfitter shall operate a raft in a careless or reckless manner without due regard for river conditions or other circumstances of safety or in such a manner as to demonstrate wanton or willful disregard for the safety of persons or property.

Accident Reporting (Section 33)

- In addition to the present requirements for reporting accidents, Section 33 should require that accidents be reported to the R.C.M.P. and to the designated provincial authority since these agencies would be involved with a rafting accident. It should also require accidents to be reported that involve treatment at a hospital or medical facility. This is not currently spelled out.

- A provision should also be added that requires the capsizing of rafts and passengers falling out of a raft to be reported to the designated provincial authority. The information gathered would provide a history of accidents on a river that would assist in setting safety guidelines. Such a provision could read as follows:

  > In addition, the person or company to whom a permit has been issued shall within 48 hours of the termination of any trip report to the designated provincial authority, any accident or incident that involves flipping a raft, involuntary exiting and separation from the raft by three or more of the participants or evacuation of any members of a rafting group.

Duties of Participants (new)

Following the example set in the rafting regulations for the State of West Virginia, the Committee suggests that the following set of responsibilities be adopted for passengers on raft trips:

Duties of Participants

1. Participants have a duty to act as would a reasonably prudent person when engaging in recreational activities offered by a commercial rafting outfitter and commercial rafting guides and trip leaders.

2. No participant may:

   a) board or embark upon any commercial rafting trip when intoxicated or impaired under the influence of drugs or alcohol; or

   b) fail to advise the trip leader or guide of any known health problems or medical disability and any prescribed medication that may be used in the treatment of such health problems during the course of the commercial rafting trip; or

   c) engage in harmful conduct or willfully or negligently engage in any type of conduct which contributes to or causes injury to any person or personal property; or

d) perform any act which interferes with the safe running and operation of the trip, including failure to use safety equipment provided by the commercial rafting outfitter or failure to follow the instructions of the guide or trip leader in regard to the safety measures and conduct requested of the participants; or

e) fail to inform or notify the trip guide or trip leader of any incident or accident involving personal injury or illness experienced during the course of any commercial rafting trip.

These guidelines establish that passengers are responsible for contributing to their own safety and care. This does not remove the responsibility from the outfitter to operate the safest trip possible, but rather creates a relationship between outfitter and passenger in which both are concerned with, and participate in, the process of keeping the passenger safe. While this Committee is not aware that legal implications would result from the inclusion of this clause in the Standards we feel that the implication of responsibility on the part of the public for their own well-being when participating in activities with a known level of hazard is an important statement to make.

Special Provisions (Section 34)

- Section 34 specifies that a permit issued by the designated provincial authority may contain special provisions relevant to specific rivers. This is potentially one of the most powerful tools for creating safety in the industry. But it should be expanded as follows:

  The permit issued by the Minister or the designated provincial authority shall contain special provisions relevant to the waters in which the river rafting operation is to be conducted. Such special provisions will include specific requirements for each river designed to provide the greatest degree of safety and to preserve the recreational values for that river, and may include recommendations regarding –

  (i) size of rafts and type of propulsion required

  (ii) number of rafts required to travel together in a group

  (iii) number of familiarization trips required of a guide and Trip Leader before guiding a commercial raft trip on a river

  (iv) maximum number of passengers in each type of raft and possibly the maximum number of passengers in any one party

  (v) class of river ("A", "B" or "C") and level of guiding qualification required to guide on the river

  (vi) first aid and other special qualifications required

  (vii) requirements for wetsuits, helmets or other special safety gear

  (viii) special requirements for periods of high water or other situations that may result in greater hazard

  (ix) any limitations on the number of rafts that should be on the river in a given day or the number of outfitters that should be given permits to operate raft trips on a river.

While the Standards can address many *general* issues of river rafting, many details specific to each river also need to be addressed. These will provide the final margin of safety.

Therefore, the Committee recommends that no river be commercially rafted until these special provisions are in place. These provisions should be prepared through consultation with outfitters knowledgeable about that river and the designated provincial authority. The operators would be responsible to petition the government with their recommendations for the development of these provisions.

The Committee further recommends that, should an outfitter or group of outfitters wish to have a new river opened up, they should submit a fee in the order of $250 with the initial application to help pay for the review process. The special provisions, once approved, should become part of the permit for a river. A form similar to the one outlined below should be completed by an outfitter or group of outfitters applying to operate on a new river as the first step in the development of the special provisions.

Once the outfitters have submitted the proposed special provisions, the designated provincial authority would be responsible for reviewing them and for establishing Special Provisions for that river in consultation with the industry.

Ideally, this review process would involve a designated authority who has expert knowledge about the river section in question to ensure that the guidelines suggested are reasonable. While outfitters in this industry are generally safety conscious, one must realize that river rafting is operated in a competitive arena and that it may not always be in the best interests of an outfitter to propose the most judicious safety guidelines on the rivers he runs. Requirements for wetsuits, helmets or perhaps a different size of raft than an outfitter presently owns could require capital outlay that the outfitter may not have planned for.

If the type of Special Provisions proposed here had been in place during this past summer, they may have averted some fatalities. This summer, one person died on the Illecillewaet River while a company was operating exploratory trips to determine if the river was commercially viable. This system would not allow an outfitter to operate exploratory trips with passengers until a management plan had been proposed, the river had been checked and Special Provisions that identified the risks and imposed guidelines for safe commercial raft trips were in place.

On the Elaho River, Special Provisions regarding guide qualifications and precautions to be taken in running the section of river above the Devil's Elbow log jam in high-water conditions (or perhaps imposing a closure on this section of river during periods of high water) might also have saved lives.

And, although little is known to the Committee about the Chilko River accident, Special Provisions requiring two rafts, wetsuits and helmets or imposing other conditions on travel might have saved lives lost in that accident.

Under the Special Provisions, a river will be classified as an "A", "B", or "C" river. Only "A" class guides, with their higher level of technical skill and more extensive rafting experience, will be allowed to guide trips on the more hazardous "A" Class rivers. These provisions will be some of the most effective in improving safety.

- The Committee recommends that Special Provisions for each river form a part of the permit issued to each outfitter to run that river. This will enable the designated provincial authority to act quickly to suspend or revoke a permit when an outfitter has breached specific operational requirements and is operating in an unsafe manner.

- The Committee recommends that the Ministry of Environment and Parks establish a program under which rafting companies collect data on river flows. This information is important for compiling a data base on riverflows, would provide raft guides and companies a quantitative measure of the river conditions on any given day, and would be valuable for developing and revising Special Provisions.

This program should be developed so that each commercially rafted "A" and "B" class river has a steel post erected in the river at a point near the put-in, or has a bridge piling or other prominent object painted with measuring marks visible to all rafting parties. This gauge should be clearly marked in feet to indicate water levels for all periods associated with commercial rafting operations.

COMMERCIAL RAFTING OPERATING PLAN

Proposed River or Section of River:_____

Put-in location_____Nearest town and distance_____

Take-out_____Nearest town and distance_____

Length of trip in miles_____in time_____

Average gradient of trip_____gradient of steepest kilometer_____

Report of any accidents known to have occurred on river_____

Types of craft you recommend for this river_____

Maximum # of passengers that you recommend for each type of craft_____

Minimum size of raft that you consider safe for this trip_____

Method of propelling rafts that you recommend_____

At any time would a different size of raft or type of propulsion be required?_____

At any time or situation sould rafting cease on this river? If so when?_____

What classification do you recommend for this river ("A", "B", "C")?_____

Identify the risks or hazards, if any, on this trip (difficult rapids, sweepers, reversals, etc.). Describe the hazard and its location. _____

What evacuation plan would you recommend in the event of accident?_____

_____

What rescue and first aid facilities are available near this river? What length of time is required to effect a rescue?_____

How many trips on this river should a "B" guide have before taking passengers on a commercial trip? _____"B" Trip Leader?_____"A" guide?_____"A" Trip Leader?_____

In your judgement, describe how experienced (including what type of previous experience) a guide should be to consistently operate commercial trips on this river in a safe manner.

_____

Should wetsuits be worn on this river? (All season? Certain times?)_____

Would helmets decrease the likelihood of accidents?_____

What minimum number of rafts per trip would you recommend?_____

Are there environmentally sensitive areas on this trip?_____What action should be taken to preserve or protect them?_____

Other recommendations? _____

_____

The Committee suggests that a contract be let to someone in the river industry to undertake this task. It is estimated that for a maximum of $10,000, most of the major rivers could have a gauge installed using existing features such as bridge pilings.

The Committee recommends that this be done during the low-water period in the spring of 1988. Examples of gauge sites visible to rafters would be the old Alexander Bridge on the Fraser downstream of Boston Bar, the bridge at Spences Bridge and the Vedder Crossing bridge on the Chilliwack River.

Where commercially rafted "A" and "B" class rivers are monitored by Water Survey of Canada, whenever possible the information should be made available on a daily basis in a prerecorded message accessed by telephone. The telephone number should be prominently displayed on the river gauge posts at the put-in on these rivers.

This Committee in consultation with a few members of the industry has prepared preliminary Special Provisions for rivers permitted before 1987 and for the Elaho and Chilliwack Rivers. (See Appendix 3.) Note that these provisions are preliminary in form and must be reviewed with the industry participants before being adopted.

Raft Repair Kit (Schedule I)

- The Committee recommends that several specific items be added to the required raft repair kit. They are detailed in Schedule I of the suggested revised standards provided in Appendix 3.

Qualifications for Guides and Trip Leaders (Schedule II)

- The standards for quides need to be substantially higher than presently required. Thus, the Committee recommends that a guide be in control of the raft at all times when he is training and that, for 75 percent of training time, he have a trip leader in the raft with him.

- Training time for guides has been increased to 60 hours (with a maximum of 5 hours per day) from 7 days.

- Before operating a commercial raft trip as the sole guide, a trainee or guide must have operated a minimum of two raft trips carrying passengers with a Trip Leader in the raft supervising. This will ensure that, in addition to river running skills, he will learn procedures for dealing with passengers in whitewater situations.

- In addition, guides should be required to take a standardized competency test when they have completed their training. The test should consist of a written component and demonstration of river skills in a raft. This should establish a much higher level of guiding in this province.

- The Committee also makes the following recommendations:

  a) If a guide does not operate 15 days of trips within 3 years, he should have to be tested again before being issued a licence. However, allowances should be made for guides with substantial previous guiding experience.

  b) Training workshops should be offered that make available information on river rescue and new methods of guiding rafts or new information on equipment.

The Committee recommends that new guidelines for "B" Class Trip Leaders be adopted that provide for higher levels of training and qualifications than required in the original *Standards*. The following major changes are recommended:

a) trip leaders must have 40 days of guiding experience (instead of 20, as previously required).

b) trip leaders must have guided at least one season before becoming a trip leader.

c) trip leaders must have taken an Industrial First Aid or a Wilderness

First Aid course so their level of first aid ability is much higher than that obtained from St. John Ambulance standard first aid.

- The Committee recommends that a new Schedule II, Division C, describing the requirements for an "A" Class guide, be adopted. (See Appendix 3.) This new guide category should ensure that more technically skilled guides are available to conduct trips on more hazardous "A" rivers. In addition to all the requirements for a "B" Class or standard guide, "A" Class guides must have guided for a minimum of 40 days and must pass a competency test to show their technical ability to raft "A" Class rivers.

- The Committee recommends that the new Schedule II, Division D, describing the qualifications for an "A" Class Trip Leader, be adopted. (See Appendix 3.) These qualifications have been established to produce expert trip leaders suited to leading trips on "A" Class Rivers. These trip leaders must have guided a minimum of 80 days, be qualified as an "A" Class guide and have a minimum of 15 days of guiding commercial raft trips on "A" Class rivers. They must also have a current Industrial First Aid or Wilderness First Aid ticket.

  These qualifications, which have been proposed as a result of consultation with the industry, describe an experienced and competent raft guide, the sort of individual the industry must employ to carry passengers on raft trips down rivers that are potentially quite hazardous. The Committee believes the standards proposed are much higher than those used in any known rafting community in the world.

Record of Service

- The following statement should be added to the Record of Service to be certain that guides recognize the consequences of falsifying these records.

  Any falsification of details of the record of service by any person shall result in the immediate revocation of the guide or trip leader licence held by that person.

Appropriate Other Guiding Experience

A provision should be added to the *Standards* to allow the designated provincial authority to recognize guiding experience gained outside of this province. The industry emphasizied the shortage of qualified guides and trip leaders, particularly for "A" Class rivers, and pointed out that large pools of competent people are found in the United States, New Zealand and Australia.

Specifically, the Committee recommends that an "A" Class trip leader be able to apply 1/2 his prior experience to a maximum of 35 days toward his 80 days of qualifying experience; and a "B" Class trip leader should be able to apply 1/2 his prior experience to a maximum of 20 days of the 40 days of guiding experience needed.

SUMMARY OF SUGGESTED REVISIONS

The major emphasis in the last two sections (River Rafting Guidelines; Revisions to Existing Standards) has been on several areas:

- A new system for classifying rivers and guides. The proposed *Standards* establish provisions for "B" class or standard guides and "A" class or expert guides to be trained and tested. Hopefully, the two-tiered guide system will stimulate guides to become good enough to attain an "A" guide status and provide the industry with the skilled and experienced guides to safely navigate B.C.'s more hazardous rivers.

- Much higher standards for guide training. The number of training hours required, quality of training experience, first aid requirements, and competency test will greatly increase training levels of new guides. Because well-trained guides are the basis of all safety, the training process

received primary emphasis. If guides are educated toward the highest standard known in the industry, in most cases they will struggle to achieve this level. For this reason, it is important that occasional training be available to guides so they will be exposed to the knowledge found in the Canadian and American industry as a whole.

- Provision for dory trips and inflatable kayak trips should they become a safety issue in future years.

- The necessity for paddle rafts on "A" Class rivers to be fully rigged with a rowing frame ready for immediate use. Paddle raft trips on "A" class rivers constitute the highest degree of risk to passengers.

  By requiring that, on "A" class rivers , all nonmotorized rafts be equipped for rowing, the Committee has ensured that the guide has the equipment he needs to control and manoeuver the craft without relying on passengers.

- The provision that a minimum of two rafts be in a group.

- The duties of participants on rafting trips. Participants must recognize that they bear some responsibility for their own safety in high-risk activities.

GUIDE EXAMINATION AND TRAINING

Government Responsibilities

The Committee recommends that –

- the Ministry of Environment and Parks provide a grant of $20,000 in early 1988 and $10,000 in early 1989 to a rafting training society to assist in the development of guide examinations and volunteer training program.

Registrar Responsibilities

The Committee recommends that the Registrar–

- review the application of those wishing to sit for the guide test to ensure they have completed all other prerequisities for becoming a guide as outlined in Schedule II. If the applicant passes the exam, the Registrar may recommend to the provincial government that a guide certificate be issued.

- maintain a list of examiners identified by a rafting training society, and issue licences that qualify these individuals to examine guide applicants and to charge a reasonable fee to the guide for this service.

- match applicant guides with examiners. An examiner must not have been actively involved in the last year with the company the guide applicant proposes to work for.

- periodically observe on-river examiners, and review and provide comments to the society on the written exams. If the Registrar finds an examiner's standards to be unacceptable, he may indicate this to the Society.

- carry out periodic audits by re-examining a recommended guide or having a second examiner test the guide at the cost of the Registrar's office.

Professional Rafting Training Society

The Committee recommends that –

- the rafting industry, with support of government, establish a B.C. Professional Rafting Training Society. The industry should consider having an executive of at least six individuals, 50 percent being company owners and 50 percent being trip leaders.

- the Society, if financially capable, consider hiring a part-time coordinator to facilitate development of an examiner training

program, volunteer guide training program, guide exam, and other relevant training programs.

- the Society seek funds to match any start-up grants from the Ministry of Environment and Parks to assist in developing its training program.

Examiner Training and Identification

The Committee recommends that –

- the Society set up a course for potential guide examiners. The course should be carried out in early spring (February or March). It may require the use of a training specialist from the United States.

- the executive of the Society, by a majority vote, identify to the Registrar those trip leaders they feel are qualified as examiners (these could include executive members).

- the Society provide examiner names to the Registrar on an on-going basis to maintain a core of examiners.

- the Society develop a written guide exam. The exams provided to the Committee by Maine and Utah can be used as a starting point. The exam could test for general first aid and whitewater knowledge, and for specific knowledge pertaining to the rivers the guides would be working on (e.g. how to run a certain rapid, what would be an appropriate evacuation plan given a specific river condition).

- the Society develop a program for a one-day, on-river exam. Again, this may require the assistance of a training consultant, but the content of the course can come from the local rafting community once members have attended the programs to train examiners.

- applicant guides who fail the written or the on-river exam require a minimum of 20 hours of additional training time with a trip leader before re-applying. No more than two attempts to pass the exam should be allowed in any one season.

Guide Exams

The Committee recommends that –

- applicant guides be required to pass the written exam before they can take the on-river exam.

- all guides who need to acquire qualifying days in 1988, take the exams during 1988.

- all guides operating on "A" class rivers meeting the recommended qualifications, take the guide exams during the 1988 rafting season.

- all guides operating on "B" class rivers in B.C. and who had the recommended qualifications before 1988, take and pass the guide exams before the 1989 season.

- guides be required to be re-examined every five years. This is similar to the requirement adopted in Utah.

- the cost of the examiner's time be directly borne by the guides. The examiner's charge will likely be modest: $150 to $200 per day. To decrease the cost per individual, a number of applicants could be tested in a one- or two-day period.

- examinations be carried out throughout the rafting areas of the Province as required. If a core of examiners is established, as proposed earlier, this should be feasible.

- the Society consider developing a video to illustrate on-river conditions to be used in conjunction with the written exam to screen out applicants with insufficient river knowledge and thus avoid the expense and trouble of on-river testing.

- exam requirements for non-Canadian guides operating on international rivers be waived for the 1988 season. This recommendation would affect rafting on the Stikine, Whiting and Alsek rivers. This

recommendation is based on the following considerations: that Canadian guides are not required to meet such standards on the U.S. segments of the rivers; it would be difficult logistically to arrange examinations for most of these U.S.-based guides; and the rivers involved have had no serious commercial accidents or deaths during the time they have been rafted.

Training Program

The Committee finds that a mandatory guide training program should not be undertaken at this time because of the costs and difficulties involved in setting up such a program, and the small number of guides needing training in any one year. Nonetheless, a volunteer training program would have some value. A forum that allows an exchange of ideas on river-running techniques, first-aid practices, new equipment and other issues pertinent to this industry would be particularly useful.

Training needs might also be met by a private organization, such as one of the rafting companies, who might consider offering a guide training program for a fee, should it become evident that such training was in demand.

Therefore, the Committee recommends that –

- the Training Society develop a volunteer guide training river workshop, offered at a minimal cost to all guides active in the province. A model exists in Maine for this type of forum where educational events are mixed with active river "rodeo" contests in rafts and other whitewater crafts. This workshop format would encourage participation by guides and outfitters and would allow the industry to amass a body of information on activities and educational approaches, which could be used in a more formalized training program, should this become advisable.
- the volunteer program be carried out for two years at which time it be reviewed by the Registrar and the Training Society to determine its level of success and whether a more structured training program needs to be developed or the training initiative dropped entirely.

Training of New Techniques

The Committee recommends that the Training Society take a lead role in holding voluntary guide-training workshops in such areas as new rafting equipment, rescue techniques, river running techniques, first aid and evacuation practices, and case studies of accidents.

Society Funding

At the beginning of this section, the Committee recommended that the Ministry of Environment and Parks provide a grant to act as seed money to assist in the establishment of the training society. The Committee also recommends that the Society, through its board of directors, seek ongoing government funding assistance to maintain a core of examiners and a voluntary training session through such agencies as Labour Market Services and Employment and Immigration Canada.

PROVINCIAL RESPONSIBILITIES

The Committee recommends that in addition to the responsibilities that relate to revising the *Regulations* and *Standards*, the Provincial Ministry of Environment and Parks:

- hire, under contract, a Registrar of River Rafting and administer the contract;
- provide support to the Registrar with regard to administration of operator permits, guide and trip leader certificates, and log books;
- provide a grant to the proposed Professional Rafting Training Society to assist in its establishment;
- act as a liason between the federal government and the Registrar.

- facilitate communication between the Registrar and any provincial agenices.

FEDERAL RESPONSIBILITIES

The Committee recommends that the federal government undertake the following:

- Review the adequacy of the current delegation of authority to the province.
- Assess whether the *Canada Shipping Act* is the appropriate statute to deal with recreational use of rivers by river rafting outfitters.
- If the *River Rafting Standards* remain within the exclusive control of the federal government then take all steps necessary to expedite the implementation of the recommendations of this Committee so the industry may prepare for the 1988 season.

Appendix 1

Boat Restriction Regulations

Sections which pertain to Commercial River Rafting

2.0 "designated provincial authority" means a person or an agency designated by a province and acceptable to the Minister as the person or agency authorized to issue or cancel or suspend a permit relating to that province pursuant to subsection 8(6) and 8(7).

7.1

(1) No person shall operate a commercial river raft in the waters described in Schedule VI.I unless authorized by a permit issued pursuant to subsection 8(6).

(2) The person in whose name a permit to operate a commercial river raft is issued shall comply with all the conditions set out in the permit.

8.6 The Minister or a designated provincial authority may issue a permit authorizing any person to operate in any of the waters described in column I of Schedule VI.I a commercial river raft that complies with the *River Rafting Standards.*

(7) The permit referred to in subsection (6) shall specify the period to which it applies and the requirement to comply with the conditions set out in the *River Rafting Standards.*

(8) The Minister or a designated provincial authority may suspend or cancel the permit issued pursuant to subsection (6) where the permit holder has failed to comply with the *River Rafting Standards.*

(9) The Minister or a designated provincial authority may issue an identification card to any person who meets the qualifications of a guide or Trip leader set out in Schedule II to the *River Rafting Standard* .

(10) The identification card referred to in subsection (9) shall specify the period to which it applies and the requirement to comply with the *River Rafting Standards.*

(11) The Minister or a designated provincial authority may suspend or cancel the identification card issued pursuant to subsection (9) where the card holder has failed to comply with the *River Rafting Standards.*

Appointment of Peace Officers

11. The Minister may appoint any employee of the federal government or of a provincial, county or municipal government as a peace officer for the purpose of these Regulations.

Powers of Peace Officers

12.

(1) A peace officer may question any person respecting any contravention or suspected contravention of these Regulations and may go on board any vessel for that purpose.

(2) The owner of a vessel boarded pursuant to subsection (1) and every person found on board the vessel shall give a peace officer all reasonable assistance in his power to enable the peace officer to carry out his duties and functions under these Regulations and shall furnish the peace officer with such information as he may reasonably require.

13.

(1) In order to promote safety, a peace officer may direct or prohibit the movements of any vessel, but in the case of a vessel in a public harbour for which a harbour master has been appointed, the peace officer shall obtain the consent of the harbour master before so directing or prohibiting.

(2) Notwithstanding subsection (1), in an emergency a peace officer may direct or prohibit the movements of any vessel in a public harbour without the prior consent of the harbour master.

14. A signal for a vessel to stop shall consist of

a) a series of short blasts on a siren, whistle, horn or other sounding device; or

b) any readily understandable visual signal given by a peace officer.

15. Every person shall comply with

a) every direction and prohibition given by a peace officer pursuant to section 13; and

b) every signal made by a peace officer pursuant to section 14.

Penalties

16

(1) Every person who contravences these Regulations is liable on summary conviction to a fine not exceeding $500.

(2) Every person who is the owner, master, operator, charterer, hirer or person in charge of a vessel that is operated contrary to these Regulations is liable on summary conviction to a fine not exceeding $500 unless the vessel was so operated without his knowledge or consent and he exercised all due diligence to prevent such operation.

(3) Every person whose employee or agent contravences these Regulations is liable on summary conviction to a fine not exceeding $500, whether or not the employee or agent is identified or has been prosecuted for the contravention, unless the contravention was committee without his knowledge or consent and he exercised all due diligence to prevent its commission.

"SCHEDULE VI.I

Waters for which a permit is required
to operate a commercial river raft

Item	Column I Name given by the Gazetteer of Canada or description	Column II
1.	All rivers within the Province of British Columbia	British Columbia

Appendix 2

River Rafting Standards

STANDARDS AND CONDITIONS

For the issuance of a permit to conduct a commercial river raft operation on waters restricted pursuant to the Boating Restriction Regulations

Short title

1. These Standards may be cited as the RIVER RAFTING STANDARDS.

Interpretation

2. In these Standards

"Act" means the CANADA SHIPPING ACT;

"approved" means approved by the Board of Steamship Inspection;

"A.S.T.M." means the American Society for Testing and Materials;

"C.G.S.B." means the Canadian General Standards Board;

"C.S.A." means the Canadian Standards Association;

"designated provincial authority" means a person designated by a province and acceptable to the Minister as the person authorized to issue or cancel a permit relating to that province;

"guide" means a person in charge or a river raft, who meets the qualifications set forth under Schedule II of these Standards, and is in possession of a valid certificate issued by the designated provincial authority;

"Minister" means the Minister of Transport;

"permit" means a permit issued by the Minister or a designated provincial authority authorizing a person to operate a commercial river raft operation, subject to these Standards and such other special conditions as may be imposed by the Board of Steamship Inspection or designated

provincial authority, in the waters described in Schedule VI.I of the BOATING RESTRICTION REGULATIONS;

"record of service" means the record of experience recorded by every candidate or qualified guide or Trip Leader as required by Schedule II of these Standards;

"small vessel lifejacket" means a lifejacket constructed and tested in accordance with the approval requirements of the SMALL VESSEL REGULATIONS, except that, for the purpose of these Standards, it shall also meet the buoyancy and performance requirements of a Standard lifejacket;

"Standard lifejacket" means a lifejacket constructed and tested in accordance with the standard set by the Canadian General Standards Board (CGSB), and entitled "Lifejackets, Inherently Buoyant, Standard Type No. 65–GP–14M";

"trip" means the passage of a raft, or more than one raft travelling in company, between one place and another place on a river or waterway;

"Trip Leader" means a person in charge of a trip who meets the qualifications set forth under Schedule II, and is in possession of a valid certificate issued by the designated provincial authority;

Equivalents

3. Notwithstanding anything contained in these Standards, the Board of Steamship Inspection may allow an alternative to any of the requirements of these Standards for any vessel or raft that is subject to these Standards.

Marking

3.1

a) A river raft used or operated by the permit holder shall be clearly marked with the name of the company to whom the permit was issued and a number which differentiates each pontoon of each raft from all other pontoons of rafts used or operated by the permit holder.

b) The markings referred to in subjection (a) shall be

   (i) in block characters and in arabic numerals which are not less than 50 millimetres high and in a colour that contrasts with their background,

   (ii) permanently affixed to the raft, and

   (iii) situated on the outside of the pontoon so that the number is clearly visible from each side of the vessels.

Construction

4. The raft shall be of good and sound material and construction and shall be so constructed as to be capable of withstanding the weather and water conditions that may be reasonably expected in the area and at the time of operation.

5. Only inflatable rafts shall be used.

6. The materials used in the construction of the buoyancy chambers of a raft shall conform to the requirements of:

   a) Section 13 of Schedule XVIII to the LIFE SAVING EQUIPMENT REGULATIONS;

   b) British Standards Institution, Specification BS MA 16, Section 7; or

   c) such other specifications as the Board of Steamship Inspection may determine are equivalent.

7. Every raft shall be so constructed that the buoyancy chambers contain in the aggregate not less than four compartments, which compartments shall:

   a) be as nearly as practicable of equal volume;

   b) be evenly distributed port and starboard; and

   c) be so constructed that deflation of any one compartment will not cause the escape of air from any other compartment.

8. Every raft shall be fitted with topping–up valves to each buoyancy chamber.

9. Every raft shall have:

   a) one painter of at least 10 metres in length; and

   b) a line becketed around the raft, or safety straps suitable for use as handgrips.

10. Prior to the commencement of operations each year, each raft shall pass the following tests:

    a) the entire raft shall be inflated to 112.5% of its manufacturer's recommended pressure for a minimum of 30 minutes;

    b) the pressure in each chamber shall be inflated to working pressure and allowed to stand for an additional period of 30 minutes; and

    c) each individual chamber shall be tested with adjacent chambers deflated to ensure the structural integrity of each chamber.

Capacity

11. No raft shall be loaded with persons, goods and equipment exceeding the weight determined using the following formula:

$$C = (0.375 \times V \times 1000) - W$$

where C = maximum weight capacity in kilograms
V = total buoyancy of the compartment volume of the raft in cubic metres except for additionally attached outrigger pontoons
W = weight in kilograms of the raft and its framework and all other structures and fittings (motor and portable fuel tanks not included).

12. (1) Subject to subsection (2), the number of persons on board a raft shall not exceed the number determined using the following formula:

$$N = (C - G)/75$$

where N = maximum number of persons
C = maximum weight capacity in kilograms
G = total weight in kilograms of motor, filled portable fuel tanks, gear and equipment.

(2) There shall be sufficient space on board the raft such that all persons, except the guide, can be adequately seated.

Machinery

13. All fuel tanks shall be adequately supported and braced so as to reduce movement.

14. Where a raft is motorized, the minimum engine power shall be not less than 15 kW (20 HP).

15. The motor on every motorized raft shall be securely mounted on a transom, or a major structural member of the raft.

Equipment Requirements

16. Every raft shall carry:

a) one approved Standard lifejacket or one approved small vessel lifejacket meeting the buoyancy and performance requirements of a Standard Lifejacket for each person on board, in sizes suitable for all adults and all children that are on board;

b) a first aid kit containing, as a minimum, the following:

(i) adhesive bandages

(ii) sterile pads

(iii) flexible gauze bandages

(iv) roller bandages

(v) triangular bandages

(vi) first aid tape

(vii) safety pins

(viii) scissors

(ix) antiseptic

(x) acetylsalicylic acid tablets

(xi) first aid instructions;

c) spare means of propulsion, consisting of:

(i) for rafts propelled by oars, at least one spare oar and oarlock or clip per raft, or at least two spare oars and oarlocks or clips per trip,

(ii) for rafts propelled by paddles, at least two spare paddles, or

(iii) for rafts propelled by motor,

A – at least one spare motor; or

B – if three or more rafts are travelling in company at least one spare motor on one raft and,

(I) two oars and oarlocks or clips on each of the other rafts, or,

(II) for rafts of 6 metres in length or less, at least eight paddles;

d) a buoyant heaving line of at least 20 metres in length, flexible under ordinary circumstances of wetness and temperature, attached to a buoyant quoit.

17. (1) Every raft, or every group of rafts travelling in company, shall carry:

a) a raft repair kit in accordance with the provisions of Schedule I; and

b) if propelled by motor, an engine repair kit in accordance with the provisions of Schedule I.

2. Every raft shall carry a hand operated pump for inflating the buoyancy chambers and capable of attachment to the topping–up valves, however where more than one raft is travelling in company on a trip, no more than 2 pumps need be carried for that trip provided that the 2 pumps are not carried in the same raft.

Operational Requirements

18. Every raft travelling singly, or every group of rafts travelling in company shall be opererated under the supervision of a Trip Leader certificated in accordance with the provisions of Division B of Schedule II. Such Trip Leader shall, within the previous twelve months, have completed a minimum of two trips, as indicated in the record of service, over the assigned route while in control of the type of raft to be used.

19. Under the general supervision of a Trip Leader, every raft engaged in a commercial river rafting operation shall be operated by a guide, certificated in accordance with the provisions of Division A of Schedule II, who additionally shall have had experience within the previous twelve months over the assigned route while in control of the type of raft to be used. Such experience shall be indicated in the record of service.

19.1 Every certificated Trip Leader and guide shall have in his possession and on his person a certificate, in the form of an identification card issued by the designated provincial authority and which certifies his qualifications while operating a raft, and shall produce the certificate for inspection on demand of a peace officer.

20. Before the commencement of any river trip, all persons to engage in the trip shall receive a warning that, because of possible rigorous or hazardous conditions which might be encountered, river rafting may not be suitable for children, the infirm and those persons whose health may be impaired under these conditions.

21. Before the commencement of any river trip, all persons to engage in the trip shall receive a safety orientation briefing which shall include:

    a) a familiarization and warning concerning the hazards of the waters to be run;

    b) procedures for routine operations;

    c) general safety precautions;

    d) the use and wearing of lifejackets;

    e) boating assignments; and

    f) procedures for emergencies, casualties, swamping, capsizes and man overboard.

22. At the commencement of each day's operation, each chamber of each raft shall be pressure checked at its rated working pressure, and the entire exterior of the raft shall be visually inspected.

23. Every person on a raft shall at all times wear an approved Standard lifejacket or approved small vessel lifejacket meeting the buoyancy and material requirements of a Standard lifejacket.

24. When a raft is approaching a rapid, the guide or Trip Leader shall advise all persons on board of the safety precautions to be observed while passing through the rapid.

25. No person on board a raft shall be allowed on outrigger pontoons when the raft is passing through a rapid.

26. All loose equipment, storage boxes and other objects that may be injurious to persons on the raft, are to be properly stowed and secured in place.

27. No alcohol or illegal drugs shall be consumed by any person on a raft when the raft is on the river.

28. At no time during a trip or stopover shall any guide or Trip Leader be impaired by alcohol or a drug.

29. The Trip Leader shall not permit any person to board a raft if that person is believed to be in a state of impairment that may be of hazard to themselves or other persons on the raft.

30. Except in an emergency situation, no raft shall be operated on any river during the hours of darkness.

31. No raft shall be refueled while persons other than a guide or Trip Leader is on board.

32. Protective headgear, of the correct size, and meeting the requirement of CSA Standard CAN3-Z262.1-M83 or equivalent, shall be worn by each person on a raft in waters where risk of head injury may exist.

Accident Reporting

33. The person to whom a permit has been issued shall as soon as possible at the termination of any trip, and by the quickest possible means, report to an officer of the Canadian Coast Guard, Ship Safety Branch, any accident or incident that involves:

    a) loss of life;

    b) any injury incapacitating any person for more than 24 hours or any temporary stoppage of breathing.

Special Provisions

34. The permit issued by the Minister or the designated provincial authority may contain special provisions relevant to the waters in which the river rafting operation is to be conducted.

Note: Reference to other Standards is to the latest issue, unless otherwise specified by the authority applying this Standard.

Schedule I

Division A

Raft Repair Kit

1. The repair kit for every inflatable raft shall contain, as a minimum, the following:

   a) patches of tube material,

   b) cement compatible with the raft fabric,

   c) sandpaper or roughing tool,

   d) replacement oarlock or clip, (if applicable),

   e) screwdrive, and

   f) pliers.

Division B

Engine Repair Kit

2. The engine repair kit for every raft carrying an engine shall contain, as a minimum, the following:

   a) spare propeller,

   b) 2 spark plugs, and

   c) an adjustable wrench.

Schedule II

Qualifications for Guides and Trip Leaders

Division A

Guides

1. Every certificated guide shall:

   a) be not less than 18 years of age,

   b) have successfully completed a basic standard first aid course (16 hours) and hold a valid certificate issued by the St. John Ambulance Association or a body recognized by the Minister or the designated provincial authority.

   c) within the three year period preceding his or her application for a guide certificate, have completed

      (i) twenty days river running experience in control of any craft, and

      (ii) seven river running trips on rafts under the supervision of a qualified Trip Leader.

   d) have a basic knowledge of and ability to carry out repairs to the raft,

   e) have a good knowledge of safety, emergency procedures, and of the hazards associated with a river rafting operation, and

   f) if operating a motorized raft, have a basic knowledge of engine repair.

Division B

Trip Leaders

2. Every Certificated Trip Leader shall:

   a) be a guide certificated within the two year period preceding his or her application for a Trip Leader's certificate, in accordance with Division A of this Schedule.

   b) within the three year period preceding his or her application for a Trip Leader's certificate, have completed a minimum of twenty days river running experience as a guide qualified in accordance with Division A of this Schedule.

   c) have a complete knowledge of the construction of a raft, and be capable of effecting repairs and replacement of parts of the raft.

3. The experience required by sub-paragraph 2(b) is in addition to the experience required in order to qualify as a guide.

Division C

Record of Service

4. Every candidate and certificated guide and Trip Leader shall maintain a record of service showing all trips completed for the purpose of qualification and of all subsequent trips.

5. The record of service shall indicate, for each trip:

   a) the date of the trip

   b) the route of the trip;

   c) his employment during the trip, whether candidate guide, qualified guide, candidate Trip Leader or qualified Trip Leader;

   d) the type of raft used on the trip, and whether the raft was propelled by oars, paddles or by motor;

   e) the duration of the trip;

   f) the name of the Trip Leader;

   g) in the case of a record kept by a guide, the number of persons carried on the raft;

   h) in the case of a record kept by a Trip Leader, the number of persons carried on the trip; and

   i) any unusual occurrences or accidents.

6. At the completion of each trip, the record of service for every guide and Trip Leader shall be certified and signed by the person to whom the permit to operate has been given, and, in the case of candidate guides and candidate Trip Leaders, shall also be certified and signed by the supervising Trip Leader.

7. The record of service shall also indicate the date of certification in first aid and the issuing body, and shall record all subsequent re-qualifications in first aid training.

8. The record of service shall be made available upon request to the Minister or the designated provincial authority.

Appendix 3

Proposed Standards and Conditions

For the issuance of a permit to conduct a commercial river raft operation on waters restricted pursuant to the Boating Restriction Regulations

Short Title

1. These Standards may be cited as the RIVER RAFTING STANDARDS

Interpretation

2. In these Standards

"Act" means the Canada Shipping Act

"approved" means approved by the Board of Steamship Inspection;

"C.G.S.B." means the Canadian General Standards Board;

"designated provincial authority" means a person designated by a province and acceptable to the Minister as the person authorized to issue or cancel a permit relating to that province;

"guide" means a person in charge of a river raft, who meets the qualifications set forth under Schedule II of these Standards, and is in possession of a valid certificate issued by the designated provincial authority;

"Minister" means the Minister of Transport;

"permit" means a permit issued by the Minister or a designated provincial authority authorizing a person to operate a commercial river raft operation, subject to these Standards and such other special conditions as may be imposed by the Board of Steamship Inspection or designated provincial authority, in the waters described in Schedule VI.I of the Boating Restriction Regulations;

"record of service" means the record of experience recorded by every candidate or qualified guide or Trip Leader as required by Schedule II of these Standards;

"small vessel lifejacket" means a lifejacket constructed and tested in accordance with the approval requirements of the Small Vessel Regulations, except that, for the purpose of these

Standards, it shall also meet the buoyancy and performance requirements of a Standard lifejacket;

"Standard lifejacket" means a lifejacket constructed and tested in accordance with the standard set by the Canadian General Standards Board (CGSB), and entitled "Lifejackets, Inherently Buoyant, Standard Type No. 65-GP-14M";

"Raft" is a vessel supported by inflatable sections on its perimeter designed to carry passengers and be propelled by oar, paddle or motor.

"Whitewater Dory" or "Dory" is a rigid vessel with flat bottom, flaring sides and raised bow and stern, propelled by oar or motor, designed and constructed to carry passengers down a river.

"Inflatable kayak" is a vessel with inflatable side tubes, pointed at both ends and generally with an inflatable floor designed for one or two persons to sit on and paddle."

"Commercial Raft Trip" is a trip in which rafts are used on a river or waterway for the purpose of financial gain or other valuable consideration. This definition includes, but is not limited to, transporting of persons or goods for a fee, training of guides, rental of rafts or an unequal distribution of raft trip expenses to the benefit of an individual or company.

"Commercial Raft Outfitter" or "Outfitter" means a person or business which arranges and conducts commercial raft trips and has a current permit to engage in this activity;

"Trip Leader" means a person in charge of a trip who meets the qualifications set forth under Schedule II, and is in possession of a valid certificate issued by the designated provincial authority;

"Travelling together" means two or more rafts are in visual contact with one another and, by mutual agreement, form a group in which each raft is aware of the other rafts in that group and has assumed a responsibility for their safety.

Equivalents

3. Notwithstanding anything contained in these Standards, the Board of Steamship Inspection may allow an alternative to any of the require ments of these Standards for any vessel or raft that is subject to these Standards.

   a) *These Standards shall apply only to rafts except in specific situations where the designated provincial authority decides to include whitewater dories. In situations where whitewater dories are included the words "whitewater dory" shall be interchanged for "raft(s)" wherever it appears and all the conditions in these Standards shall apply to "whitewater dories" except sections 6,7,8,10 and 15(c).*

   b) In situations where the designated provincial authority deems it necessary, a permit may be required to operate inflatable kayaks on certain rivers. In such a situation guidelines for the safe operation of these craft shall be developed and incorporated into the Special Provisions for those rivers.

Marking

4.

a) "A river raft used or operated by the permit holder shall be clearly marked with the name of the company to whom the permit was issued and a number that differentiates *each raft and pontoon* from all other *rafts and pontoons* used or operated by the permit holder."

b) The markings referred to in subsection (a) shall be

(i) in block characters and in arabic numerals which are not less than *20 cm* high and in a colour that contrasts with their background

(ii) permanently affixed to the raft

(iii) *"situated on the outside of the pontoon or raft so that the number is clearly visible from each side of the vessel."*

Construction

5. The raft shall be of good and sound material and construction and shall be so constructed as to be capable of withstanding the weather and water conditions that may be reasonably expected in the area and at the time of operation.

6. Only inflatable rafts shall be used.

7. Every raft shall be so constructed that the buoyancy chambers contain in the aggregate not less than four compartments, which compartments shall:

a) be as nearly as practicable of equal volume;

b) be evenly distributed port and starboard; and

c) be so constructed that deflation of any compartment will not cause the escape of air from any other compartment.

8. Every raft shall be fitted with topping-up valves to each buoyancy chamber.

9. Every raft shall have

a) *one bow line at least twice the length of the raft*

b) a line fastened around the raft or safety straps positioned around the raft suitable so that they can be used as handgrips and reached by a person in the water from any position along the exterior of the raft.

c) lines, straps or other handholds fastened inside the raft and positioned so that they are readily accessible to each person.

10. Each raft shall be capable of passing the following test:

a) *all chambers shall be inflated to working pressure and allowed to stand for 30 minutes without losing pressure;*

b) each individual chamber shall be tested with adjacent chambers deflated to ensure the structural integrity of each chamber.

Capacity

11. There shall be sufficient space on board the raft such that all persons, except the guide can be adequately seated, *considering all circumstances including river conditions, raft design and method o propulsion.*

a) *No raft shall be loaded with persons and equipment exceeding the weight capacity determined by the manufacturer.*

b) The number of person aboard shall not exceed the number determined by the manufacturer.

Machinery

12. Where a raft is motorized, the minimum engine power shall be not less than 15 kW (20 HP).

13. The motor on every motorized raft shall be securely mounted on a transom, or a major structural member of the raft *and attached by rope, chain or other device to the raft.*

Equipment Requirements

14. Every raft shall carry:

a) one approved Standard lifejacket or one approved Small Vessel Regulation lifejacket meeting the buoyancy and performance requirements of a Standard Lifejacket for each person aboard, in sizes suitable for all adults and all children that are on board, *excepting that:*

(i) adults and children weighing less than 90 pounds may wear approved Small Vessel lifejackets.

(ii) guides on oar and paddle trips may wear approved Small Vessel lifejackets.

(iii) lifejackets manufactured after January 1, 1988 must have crotch straps unless the outfitter can reasonably demonstrate that such lifejackets are not available.

(iv) there shall be a minimum of one spare lifejacket for every two rafts travelling together.

b) a first aid kit containing, as a minimum, the contents of a St. John Ambulance standard first aid kit.

c) spare means of propulsion, consisting of:

(i) for rafts propelled by oars, at least one spare oar and oarlock or clip per raft, or at least two spare oars and oarlocks or clips per trip,

(ii) for rafts propelled by paddles, at least *one* spare paddle, or

(iii) for rafts propelled by motor,

A - one spare motor *in working order* of a minimum 15 kW (20 HP); or

B - one spare motor for each three rafts travelling together and thole pins or oarlocks and a rowing seat fixed in place and a minimum of two oars readily accessible on all rafts in the group.

d) a buoyant heaving line of a minimum *15 metres* in length, flexible under ordinary circumstances of wetness and temperature, attached to a buoyant throw bag or other buoyant *heaving device.*

e) *for rafts with sealed floors, a bailing bucket of minimum 15 litre capacity.*

15. Every raft, or every group of rafts travelling together, shall carry:

a) a raft repair kit in accordance with the provisions of Schedule 1; and

b) if propelled by motor, an engine repair kit in accordance with the provisions of Schedule I.

c) a hand operated pump capable of inflating the buoyancy chambers, however where more than one raft is travelling together on a trip, no more than 2 pumps need be carried for that trip provided that the 2 pumps are not carried in the same raft.

d) *for rafts propelled by motor one spare fuel line capable of attachment to the motor and one spare fuel tank full with fuel.*

16. *Any raft powered by paddles operating on a river requiring "A" Class guides and Trip Leaders under the Special Provisions for that river shall also be rigged with a rowing frame, rowing seat and oars in a fully operational manner and ready for immediate use unless it can be demonstrated to the designated provincial authority that such a provision is not required for a particular river. Such an exception shall become a part of the Special Provisions for that river.*

Operational Requirements

17. Every raft travelling singly, or every group of rafts travelling together shall be operated under the supervision of a Trip Leader certificated in accordance with the provision of Division B of Schedule II.

18. Under the general supervision of a Trip Leader, every raft engaged in a commercial river rafting operation shall be operated by a guide, certificated in accordance with the provisions of Division A of Schedule II,

19. Every certificated Trip Leader and guide shall have in his possession and on his person a certificate, in the form of an identification card issued by the designated provincial authority and which certifies his qualifications while operating a raft, and shall produce the certificate for inspection on demand of a peace officer, and

20. *Every guide and Trip Leader shall wear a knife in working condition.*

21. Before the commencement of any river trip, all persons to engage in the trip shall receive a safety orientation briefing which shall include:

a) a familiarization and warning concerning the hazards of the waters to be run;

b) procedures for routine operations;

c) general safety precautions;

d) the use and wearing of lifejackets;

e) seating assignments; and

f) procedures for emergencies, casualties, swamping, capsizes and man overboard.

22. At the commencement of each day's operation, each chamber of each raft shall be checked at its rated working pressure, and the entire exterior of the raft shall be visually inspected.

23. Every person on a raft shall at all times wear an approved Standard lifejacket or approved small vessel regulations lifejacket *unless it can be demonstrated to the designated provincial authority that a portion of a river is free of hazard and an exemption is allowed under the Special Provisions for that river while a raft is travelling for that portion.*

24. When a raft is approaching a rapid or *series of rapids*, the guide or Trip Leader shall advise all persons on board.

25. *Where outrigger pontoons are attached outside of a raft* no person on board a raft shall be allowed to ride on these outrigger pontoons when the raft is passing through a rapid.

26. All loose equipment, storage boxes, *fuel tanks* and other objects are to be properly stowed, secured in place *and covered where necessary so as to reduce movement* and to protect passengers from injury.

27. No illegal drugs shall be consumed by any person on a raft *trip. No alcohol shall be consumed by any person on a raft trip until the raft has stopped for the day.*

28. *"Knowingly authorizing or permitting a vessel to be operated by a person under the influence of alcohol, a controlled substance, or any other drug, or combination thereof during a commercial trip is prohibited."*

29. The Trip Leader *and the guide* shall not permit any person to board *or travel on* a raft if that person is believed to be in a state of impairment that may be of hazard to themselves or other persons on the raft.

30. Except in an emergency situation, no raft shall be operated on any river during the hours of darkness.

31. No raft shall be refueled while persons other than a guide or Trip Leader is on board.

32. *The minimum number of rafts on any trip shall be two, except where it can reasonably be demonstrated to the designated provincial authority that a raft travelling alone or another form of support craft are adequate.*

33. No guide, trip leader or river outfitter shall operate a raft in a careless or reckless manner without due regard for river conditions or other circumstances of safety or in such a manner as to demonstrate wanton or willful disregard for the safety of persons or property.

Accident Reporting

34. (1) The person or company to whom a permit has been issued shall as soon as possible at the termination of any trip, and by the quickest possible means, report to an officer of the Canadian Coast Guard, Ship Safety Branch *or the R.C.M.P. and to the designated provincial authority, any accident or incident that involves:*

a) loss of life;

b) any injury incapacitating any person for more than 24 hours or any temporary stoppage of breathing.

c) *any injury requiring treatment at a hospital or medical facility.*

(2) *In addition, the person or company to whom a permit has been issued shall within 48 hours of the termination of any trip report to the designated provincial authority, any accident or incident that involves flipping a raft, involuntary exiting of the raft and separation from the raft of three or more of the participants or evacuation of any members of a rafting group.*

Duties of Participants

35. *Participants have a duty to act as would a reasonably prudent person when engaging in recreational activities offered by commercial rafting outfitter and commercial rafting guides and trip leaders. No participant may:*

a) board or embark upon any commercial rafting trip when intoxi cated or impaired under the influence of drugs or alcohol; or

b) fail to advise the trip leader or guide of any known health problems or medical disability and any prescribed medication that may be used in the treatment of such health problems during the course of the commercial rafting trip; or

c) engage in harmful conduct or willfully or negligently engage in any type of conduct which contributes to or causes injury to any person or personal property; or

d) perform any act which interferes with the safe running and operation of the trip, including failure to use safety equipment provided by the commercial rafting outfitter or failure to follow the instructions of the guide or trip leader in regard to the safety measures and conduct requested of the participants; or

e) fail to inform or notify the trip guide or trip leader of any incident or accident involving personal injury or illness experienced during the course of any commercial rafting trip

Special Provisions

36. The permit issued by the Minister or the designated provincial authority shall contain special provisions relevant to the waters in which the river rafting operation is to be conducted. *Such special provisions will include specific requirements for each river designed to provide the the greatest degree of safety and to preserve the recreational values for that river, and may include recommendations regarding:*

a) size of rafts and type of propulsion required

b) number of rafts required to travel together in a group

c) number of familiarization trips required of a guide and Trip Leader before guiding a commercia raft trip on a river

d) maximum number of passengers in each type of raft and possibly the maximum number of passengers in any one party

e) class of river ("A", "B" or "C") and level of guiding qualification required to guide on the river

f) first aid and other special qualifications required

g) requirements for wetsuits, helmets or other special safety gear.

h) special requirements for periods of high water or other situations that may result in greater hazard

i) any limitations on the number of rafts that should be on the river in a given day or the number of outfitters that should be given permits to operate raft trips on a river.

Schedule I

Division A

Raft Repair Kit

1. The repair kit for every inflatable raft or group of rafts travelling together shall contain, as a minimum, the following:

   a) *patches of raft fabric capable of repairing a 1 metre tear*

   b) compatible raft glue and cleaning solvent and patching tools

   c) screwdriver

   d) Channel lock or similar pliers

   e) spare valve cover to seal topping-up valves

   f) hose clamps capable of repairing oars, paddles or outboard handles, as appropriate to the raft

   g) role of Duct tape

Division B

Engine Repair Kit

2. The engine repair kit for every raft carrying an engine shall contain, as a minimum, the following:

   a) spare propeller

   b) 2 spark plugs appropriate to the engine

   c) adjustable wrench

Schedule II

Qualifications for Guides and Trip Leaders

Division A
"B" Class Guides

1. Every certificated *"B" Class* guide shall:

   a) *be not less than 19 years of age.*

   b) have successfully completed a basic standard first aid course *with CPR (20 hours)* and hold a valid certificate issued by the St. John Ambulance Association or a body recognized by the Minister or the designated provincial authority.

   c) *be a competent swimmer*

   d) within the 18 month period preceding his or her application for a guide certificate, have completed 60 hours of specific raft training under the supervision of a certified trip Leader in the type of craft and grade of whitewater similar to that on which they expect to guide commercial raft trips. Such training to meet the requirements that:

      (i) the Trip Leader must be in the boat with the trainee 75% of the time

      (ii) training time is only considered valid where the trainee is in control of the raft

      (iii) a maximum of 30 hours of training time may be gained on commercial raft trips where the trainee is in control of the raft for the complete trip with the Trip Leader or guide in the boat supervising.

      (iv) a maximum of 10 hours of training time may be gained by the trainee being in total control of a raft with no guide or Trip Leader present in the boat.

      (v) a training day is considered to be a maximum of 5 hours unless demonstrated otherwise to the satisfaction of the designated provincial authority

   e) prior to operating his first commercial raft trip as a guide a trainee or guide will have spent a minimum of two days in control of a raft with passengers with a Trip Leader in the boat with him.

   f) have passed a basic competency test to obtain a license that will allow him to operate one or more of the following: oar rafts, paddle rafts or motor powered rafts.

   g) have a basic knowledge of and ability to carry out repairs to the raft,

   h) have a good knowledge of safety, emergency procedures, and of the hazards associated with a river rafting operation and

   i) if operating a motorized raft, have a basic knowledge of engine repair

   j) *have completed three familiarization trips for each river prior to carrying passengers on that river, unless a different number of familiarization trips is specified under the Special Provisions. Where a minimum of 75% of the training time was accumulated on a specific portion of river that has a requirement for familiarization trips, then a maximum of 3 of those training days may be*

applied toward the required number of familiarization trips for that portion of river.

2. *A candidate for a guide licence may apply to the designated provincial authority to challenge the competency exam without completing the required training hours and in exceptional circumstances where deemed appropriate this may be allowed.*

3. *Applicant guides who fail the written or on-river exam require a minimum of 20 hours of additional training time with a Trip Leader before reapplying. No more than two attempts may be made in a season to pass the exam.*

4. *If a guide has operated less than 15 days of commercial raft trips during the past three years his guiding licence shall not be reissued and he shall be required to pass the competency exam for a "B" class guide and complete the number of familiarization trips for each river. However, for each 60 days of previous guiding experience, the number of years the guide can go without being retested can be extended by one year at the sole discretion of the designated provincial authority. Once guiding experience has been applied to extend the testing period, it cannot be applied again.*

5. *"B" Class guides may not conduct commercial raft trips on rivers requiring the skills of an "A" Class guide.*

Division B

"B" Class Trip Leaders

1. Every certificated *"B" Class* Trip Leader shall:

   a) *be a "B" Class guide certificated in accordance with Division A of this schedule.*

   b) within the three year period preceding his or her application for a Trip Leader's certificate, have completed a minimum of *forty days* river running experience as a guide qualified in accordance with Division A of this schedule

   c) have a complete knowledge of the construction of a raft, and be capable of effecting repairs and replacement of parts of the raft.

   d) *within the past three years have successfully completed an Industrial First Aid course or a Wilderness First Aid and hold a minimum of a current St. John Ambulance Standard first aid and CPR.*

   e) have completed two familiarization trips for each river prior to carrying passengers on that river, unless a different number of familiarization trips is specified under the Special Provisions.

   f) have guided for at least one season prior to applying to be a Trip Leader

   g) submit at least one letter of recommendation from a qualified trip leader they have worked with and submit a resume of qualifications, experience and references.

2. The experience required by sub-paragraph 2(b) is in addition to the experience required in order to qualify as a "B" Class guide.

3. *"B" Class trip leaders may not conduct commercial raft trips on rivers requiring the skills of an "A" Class guide.*

Division C
"A" Class Guide

1. *In order to guide on rivers requiring expert guides as required under the Special Provisions for a specific river an "A" Class Guide must have met the following qualifications:*

   a) is fully qualified as a guide under Schedule II, Division A of these Standards

   b) has guided a minimum of 40 days of commercial raft trips

   c) passes a competency test established for "A" Class Guides

   d) has completed five familiarization trips for each river requiring "A" Class guiding skills and two familiarization trips for each river requiring "B" class guiding skills before carrying passengers on that river, unless a different number of familiarization trips is required under the Special Provisions for a specific river.

2. If an "A" class guide has operated less than 15 days of commercial raft trips during the past three years, he shall be required to pass the exam for an "A" class guide and complete the required number of familiarization trips for each river, in order to have his guiding licence reissued. However, for each 60 days of previous guiding experience, the number of years the guide can go without being retested can be extended by one year at the sole discretion of the designated provincial authority. Once guiding experience has been applied to extend the testing period, it cannot be applied again.

Division D
"A" Class Trip Leaders

1. *In order to lead trips on rivers that require expert Trip Leaders under the Special Provisions of a permit for a specific river an "A" Class Trip Leader must have the following qualifications:*

   a) is fully qualified as an "A" Class Guide

   b) has guided a minimum of 80 days as a commercial guide

   c) has guided a minimum of 15 days on rivers classified as "A" Class rivers as designated under the Special Provisions of river permits

   d) holds a valid Industrial First aid ticket or Wilderness First Aid ticket (40 hours)

   e) submits at least two letters of recommendations from Trip Leaders he has worked with and a resume of appropriate qualifications, a record of experience and list of references.

   f) have a complete knowledge of the construction of a raft and be capable of effecting repairs and replacement of parts of the raft

   g) has completed three familiarization trips for each river requiring "A" Class guiding skills and one familiarization trip for each river requiring "B" class guiding skills before carrying passengers on that river, unless a different number of familiarization trips is required under the Special Provisions for a specific river.

Division C
"A" Class Guide

1. *In order to guide on rivers requiring expert guides as required under the Special Provisions for a specific river an "A" Class Guide must have met the following qualifications:*

   a) is fully qualified as a guide under Schedule II, Division A of these Standards

   b) has guided a minimum of 40 days of commercial raft trips

   c) passes a competency test established for "A" Class Guides

   d) has completed five familiarization trips for each river requiring "A" Class guiding skills and two familiarization trips for each river requiring "B" class guiding skills before carrying passengers on that river, unless a different number of familiarization trips is required under the Special Provisions for a specific river.

2. If an "A" class guide has operated less than 15 days of commercial raft trips during the past three years, he shall be required to pass the exam for an "A" class guide and complete the required number of familiarization trips for each river, in order to have his guiding licence reissued. However, for each 60 days of previous guiding experience, the number of years the guide can go without being retested can be extended by one year at the sole discretion of the designated provincial authority. Once guiding experience has been applied to extend the testing period, it cannot be applied again.

Division D
"A" Class Trip Leaders

1. *In order to lead trips on rivers that require expert Trip Leaders under the Special Provisions of a permit for a specific river an "A" Class Trip Leader must have the following qualifications:*

   a) is fully qualified as an "A" Class Guide

   b) has guided a minimum of 80 days as a commercial guide

   c) has guided a minimum of 15 days on rivers classified as "A" Class rivers as designated under the Special Provisions of river permits

   d) holds a valid Industrial First aid ticket or Wilderness First Aid ticket (40 hours)

   e) submits at least two letters of recommendations from Trip Leaders he has worked with and a resume of appropriate qualifi cations, a record of experience and list of references.

   f) have a complete knowledge of the construction of a raft and be capable of effecting repairs and replacement of parts of the raft

   g) has completed three familiarization trips for each river requiring "A" Class guiding skills and one familiarization trip for each river requiring "B" class guiding skills before carrying passengers on that river, unless a different number of familiarization trips is required under the Special Provisions for a specific river.

Division E
Record of Service

1. Every candidate and certificated *"A" Class and "B" Class guide* and *"A" Class and "B" Class Trip Leader* shall maintain a record of service showing all trips completed for the purpose of qualification and of all subsequent trips.

2. The record of service shall indicate, for each trip:

   a) the date of the trip;

   b) the route of the trip;

   c) his employment during the trip, whether candidate guide, qualified guide or qualified Trip Leader;

   d) the type of raft used on the trip, and whether the raft was propelled by oars, paddles or by motor;

   e) the duration of the trip;

   f) the name of the Trip Leader

   g) in the case of a record kept by a guide, the number of persons carried on the raft;

   h) in the case of a record kept by a Trip Leader the number of persons carried on the trip; and

   i) any unusual occurrences or accidents.

3. At the completion of each trip, *or as soon as practicable* the record of service for every guide and Trip Leader shall be certificated and signed by the person to whom the permit to operate has been given and, shall also be certified and signed by the supervising Trip Leader.

4. *Familiarization trips, as required for certain rivers, shall be a trip where one guide operates a raft with a qualified Trip Leader in the raft over a particular stretch of river in order to gain the necessary experience to carry passengers on that stretch of river.*

5. The record of service shall also indicate the date of certification in first aid and the issuing body, and shall record all subsequent re-qualifications in first aid training.

6. The record of service shall be made available upon request to the Minister or the designated provincial authority.

7. *Any falsification of details of the record of service by any person shall result in the immediate revocation of the guide or trip leader licence held by that person.*

Other Appropriate Guiding Experience

1. *Previous guiding experience in areas outside of this permit system and where some form of guide licensing system was in effect may be applied toward the number of guiding days required to qualify as a Trip Leader, as follows:*

a) *1/2 of previous guiding experience may be applied toward a "B" Class trip leader or toward an "A" Class guide licence, to a maximum of 20 days.*

b) *1/2 of previous guiding experience in excess of 100 days may be applied toward an "A" Class trip leader licence to a maximum of 15 days, however this person must still complete 15 days of commercial guiding experience on rivers designated as "A" Class under the Special Provisions of the Standards*

2. *These days must be documented as outlined in the Record of Service and be accompanied by a signed statement verifying this experience from the company owner who employed the guide or some other recognized authority. The acceptance of this previous experience shall be solely at the discretion of the designated provincial authority.*

CHILLIWACK RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River: Foley Creek to Slessy Creek

Helmets and wetsuits required
Class A guides and Class A Trip Leaders required
Five familiarization trips required

River level below 72 C.M.S.
Minimum raft size: 13'
Maximum passengers per raft: 13' - 5 pax., 15' - 7 pax., 17' - 9 pax.

River level above 72 C.M.S.
Minimum raft size: 15'
No paddle trips – rafts must be rowed with paddle assist
Maximum passengers per raft same as below 72 C.M.S.

River level above 84 C.M.S.
River section closed to rafting

Section of River: Slessy Creek to above Tamahi Rapid

Wetsuits required
Two familiarization trips required
Minimum rafts size: 11'
Maximum passengers per raft: 11' - 4 pax., 13' - 6 pax., 15' - 8 pax., 17' - 10 pax., 20' - 12 pax

Section of River: Above Tamahi Rapid to Pointa Vista

Helmets and wetsuits required
Five familiarization trips required
Class A guide and Class A Trip Leader required
Backboards available

Water level below 110 C.M.S.
Minimum raft size: 11'
Maximum passengers per raft: 11' - 4 pax., 13' - 6 pax., 15' - 8 pax., 17' - 10 pax., 20' - 12 pax.

Water level above 110 C.M.S.
Minimum raft size: 15'
Maximum passengers per raft same as below 110 C.M.S.
No paddle trips – rafts must be rowed with paddle assist

Water level above 180 C.M.S.
River section closed to rafting

Section of River: Pointa Vista to Vedder Crossing

Wetsuits required
Minimum raft size 11'
Three familiarization trips required
Maximum passengers per raft: 11' - 5 pax., 13' - 6 pax., 15' - 8 pax., 17' - 10 pax., 20' - 12 pax

ELAHO RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River: Water station to Squamish River put in below Devil's Elbow

Helmets and wetsuits required
Minimum raft size: 15'
Maximum passsengers per raft: 15' - 7 pax., 17' - 9 pax., 20' - 12 pax.
No paddle trips – rafts must be rowed with paddle assist
Class "A" trip leader and guide required
Five familiarization trips required
Evacuation plan filed with the R.C.M.P.

Water level above 300 C.M.S.
River section closed to rafts

SQUAMISH RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River: From Squamish River below Devil's Elbow on the Elaho to Squamish

Wetsuits required
Minimum raft size: 15'
Maximum passengers per raft: 15' - 7 pax., 17' - 1o pax., 20' - 14 pax.
No paddle trips – rafts must be rowed with paddle assist
Two familiarization trips required

CHILCO RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River: Chilco Lake to launch ramp 35 Km downstream from Lake

Minimum raft size: 12'
Maximum passengers per raft, 12' - 6 pax., 14' - 7 pax., 16 - 9 pax.,
17' - 11 pax., 20' - 12 pax.
Propulsion: paddles or oars
One familiarization trip required

Section of River: Lava Canyon 35 Km section above Taseko River/Chilko River junction

Wetsuits, helmets, expedition first aid supplies, oxygen, radios and backboards required
Minimum raft size: 15'
Maximum passengers per raft: 15' - 5 pax., 17' - 7 pax., 20' - 9 pax.,
15' (self bailing) - 7 pax., 17' (self bailing) - 9 pax.
Class "A" guide and trip leader required

Water flow greater than 110 C.M.S
Minimum raft size: 17'
Maximum passengers per raft: 17' - 7 pax., 17' (self bailing) - 9 pax.
No paddle trips – rafts must be rowed with paddle assist
Five familiarization trips required
Evacuation plan filed with the R.C.M.P. Alexis Creek
Class "A" guide and trip leader required

Water flow greater than 170 C.M.S.
River section closed to rafts

CHILCOTIN RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River: Junction of Chilko and Taseko Rivers to above Farwell Canyon on Chilcotin River

Expedition first aid supplies required
Minimum raft size 15'
Maximum passengers per raft: 15' - 7 pax., 17' - 9 pax.,
20' - 11 pax., 22'motor - 11 pax., 28' motor - 14 pax.
Three familiarization trips for Class B Trip Leader
Two familiarization trips for Class B Guide
Evacuation plan filed with R.C.M.P.

Section of River: Above Farwell Canyon to Gang Ranch on Fraser

Expedition first aid supplies required
Backboards required
Evacuation plan registered with R.C.M.P.
Three familiarization trips required for Class B Trip Leader
Two familiarization trips required for Class B Guide

Water level below 200 C.M.S.
Minimum raft size: 15'
Maximum number of passengers per raft: 15' - 7 pax., 17' - 9 pax.
20' - 11 pax., 22'motor - 11 pax., 28' motor - 14 pax

Water level above 200 C.M.S.
Minimum raft size: 17'
Maximum number of passengers per raft: 17' - 9 pax., 20' - 11 pax.
22' motor - 11 pax., 28' motor - 14 pax.
No paddle trips – rafts must be rowed with paddle assist or motorized

ALSEK RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River: Haines Junction (Yukon Territory) to confluence with Tatshenshini River

Turnback Canyon closed to rafting
Wetsuits required
Expedition first aid supplies required
Oxygen required
Radios required
Backboards required
Minimum raft size: 15'
Maximum number of passengers per raft: 15' - 5 pax., 18' - 7 pax., 20' - 9 pax.
One familiarization trip required for Class B Trip Leader
No familiarization trips required for Class B Guides
Evacuation plan filed with R.C.M.P.

TATSHENSHINI RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River: Dalton Post (Yukon Territory) to Dry Bay (Alaska)

Expedition first aid supplies required
Radios required
Backboards required
Evacuation plan filed with R.C.M.P.
Two familiarization trips required for B Class Trip Leader
No familiarization trips required for B Class Guide
Minimum raft size: 15'
Maximum number of passengers per raft: 15' - 5 pax., 17' - 7 pax., 20' - 9 pax.

THOMPSON RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River: Savona to Goldpan Provincial Park

Minimum raft size: 13'
Maximum number of passengers per raft: 13' - 6 pax., 15' - 8 pax.,
17' - 12 pax., 20' - 16 pax., 22' motor - 18 pax.,
28' motor - 24 pax., 35' motor - 26 pax.
Three familiarization trips required
Evacuation plan registered with R.C.M.P.

Section of River: Goldpan Provincial Park to Lytton

Three familiarization trips required
Evacuation plan filed with R.C.M.P.

Water level below 1300 C.M.S.
Minimum raft size 13'
Rafts less than 15' must be oar powered
Maximum number of passengers per raft: 13' - 6 pax., 15' - 8 pax.,
17' - 12 pax., 20' - 16 pax., 22' motor -18 pax.,
28' motor - 24 pax., 35' motor - 26 pax.

Water level above 1300 C.M.S.
Minimum raft size: 17'
No paddle trips – rafts must be rowed with paddle assist or motorized
Maximum number of passengers per raft: 17' - 12 pax.,
20' - 16 pax., 28' motor - 24 pax., 33' motor - 26 pax.

Water level above 2800 C.M.S.
Only motor boats 28' and longer

KICKING HORSE RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River: Park Boundary to take-out 2 KM east of Yoho Bridge

Wetsuits required
Backboards available
Five familiarization trips required

Water level below 170 C.M.S.
Minimum raft size 13'
Maximum number passengers per raft: 13' - 6 pax., 15' - 8 pax., 17' - 10 pax.

Water level above 170 C.M.S.
"A" Class Guide and Trip Leader required
Minimum raft size: 15'
No paddle trips – rafts must be rowed with paddle assist
Maximum number of passengers per raft: 15' - 7 pax., 17' - 9 pax.

Water level above 220 C.M.S.
River section closed to rafting

Section of River: 2 KM east of Yoho Bridge to Golden

River section closed to rafting

FRASER RIVER - SPECIAL PROVISIONS

* These Special Provisions were prepared by the Rafting Advisory Committee with limited input from the industry and should not be adopted or used without review by rafting operators in this area.

Section of River : Gang Ranch Bridge to Boston Bar

Expedition first aid supplies required
Backboards required
Minimum 22' raft required
One familiarization trip for guides
Two familiarization for trip leaders
Evacuation plan to be filed with R.C.M.P.
Maximum number of passengers per raft: 22' - 11 pax.,
28' motor - 15 pax., 33' motor - 20 pax.
Bridge River Rapids closed to rafting

Section of River : Boston Bar to Yale

Three familiarization trips required
Only motorized rafts may be used
Minimum raft size 22'
Minimum raft width four pontoons wide (36" pontoons)
Every raft shall carry a spare motor
No raft shall travel back up the eddy on the west side of Scuzzy rapid and re-run the rapid
Maximum number of passengers per raft: 22' - 18 pax., 28' - 24 pax, 33' - 26 pax.,

Water level between 4,500 C.M.S. and 6,000 C.M.S.
Rafts must be a minimum of 10 metres in length
Maximum passengers per raft is as above.

Water level above 6,000 C.M.S.
River closed to rafting

Appendix 4

Commercial Rafting

B.C. RIVERS ON WHICH COMMERCIAL RAFTING HAS OCCURRED

RIVERS	COMMERCIAL OPERATORS
Adams	Interior Whitewater Expeditions Ltd., Clearwater Rafting Adventures
Alsek/Tatshenshini	Action River Expeditions, Alaska Discovery, Canadian River Expeditions Ltd., Chilkat Guides, Colorado River and Trail Expeditions Inc., Ecosummer Yukon Expeditions, James Henry River Journeys, Quebec Whitewater World Ltd., R.A.F.T. Inc., Rivers Wild Rafting Ltd., Safari River Expeditions, Sobek Expeditions Inc., Sobek Canada, Tatshenshini Expediting, Wilderland Explorations, Whitewater Adventures Ltd., Iskut Trail and River Adventures
Babine	Interior Whitewater Exp. Ltd., Wilderland Explorations
Birkenhead	Whistler River Adventures
Blackwater	Thompson Guiding
Blaeberry	Kicking Horse Rafting Co.
Bowron	B.C. Wilderness Outfitters
Bulkley	Wilderland Explorations
Bull	Canyon Whitewater
Cariboo	B.C. Wilderness Outfitters, Thompson Guiding
Cheakamus	Whistler River Adventures, Sea to Sky Raft Tours Ltd.
Chehalis	Dynamic Descents Whitewater Rafting Inc.
Chilcotin	Action River Expeditions Ltd., Canadian River Expeditions Ltd., Clearwater Expeditions Ltd., Fraser River Raft Expeditions, Highwater Expeditions, Hyak River Expeditions, Hydra River Guides Ltd., Kumsheen

	Raft Adventures Ltd., R.A.F.T. Inc., Reo Rafting Adventures, Rivers Wild Rafting Ltd., Kicking Horse Rafting Co., Water and Outdoor Sports Int. Ltd., Wilderland Explorations, Whitewater Adventures
Chilko	Action River Expeditions Ltd., Canadian River Expeditions Ltd., Clearwater Expediting Ltd., Clearwater Rafting Adventures Ltd., Highwater Expeditions, Hyak River Expeditions, Hydra River Guide Ltd., Kumsheen Raft Adventures, R.A.F.T. Inc., Reo Rafting Adventures, River Wild Rafting Ltd., Kicking Horse Rafting Co., Water and Outdoor Sports Int. Ltd., Wilderland Explorations, Whitewater Adventures, Thompson Guiding
Chilliwack	Hyak River Expeditions, R.A.F.T. Inc., Rapid Rafting, Rivers Wild Rafting Ltd., Water and Outdoor Sports Int Ltd., Whitewater Adventures, Hell's Gate Expeditions, Action River Expeditions, R.E.O. Rafting, W.A.S., Highwater Expeditions
Clearwater	Clearwater Rafting Adventures Ltd., Interior Whitewater Exp. Ltd.
Coquihalla	Hell's Gate Expeditions, Whitewater Adventures Ltd.
Cowichan	
Dean	Fishing use
Elaho	Rapid Rafting, Whistler River Adventures, Dynamic Descents Whitewater Rafting, Inc., Sea to Sky Raft Tours Ltd.
Elk	Canyon Whitewater
Fraser	Canadian River Expeditions Ltd., Fraser River Raft Expeditions, Frontier River Adventures Ltd., Kumsheen Raft Adventures Ltd., Nikaia River Holidays Ltd., R.A.F.T. Inc., River Rogues Adventures Ltd., Rivers Wild Rafting Ltd., Safari River Expeditions, Kicking Horse Rafting Co., Spences Bridge Wave Riders, Whitewater Adventures
Gitnadoix	
Illecillewaet	Kicking Horse Rafting Co.
Kicking Horse	Action River Expeditions Ltd., Clearwater Rafting Adventures Ltd., Columbia Valley Air Boats Inc., Glacier Raft Co. Ltd., Hydra River Guides Ltd., Kootenay River Runners, R.A.F.T. Inc., Rivers Wild Rafting Ltd., Rocky Mountain River Rafts, Kicking Hors Rafting Co., Whitewater Rafting, Sea to Sky Raft Tours Ltd.

Kootenay	Kootenay River Runners, Glacier Raft Co., Kicking Horse Rafting Co.
Liard	
Lillooet	Whistler River Adventures
Morice	
Nahatlatch	Water and Outdoor Sports Int. Ltd., R.E.O., Hyak
Nass	Wilderland Explorations
Nicola	Hyak, Hells Gate Expeditions
Quesnel	B.C. Wilderness Outfitters
Similkameen	Action River Expeditions Ltd., Rivers Wild Rafting Ltd.
Skeena	Wilderland Explorations, Skeena Ventures Ltd.
Spatsizi	Canadian River Expeditions Ltd., Iskut Trail and River Adventures
Spillimacheen	Kicking Horse Rafting Co.
Squamish	Rapid Rafting, Whistler River Adventures, Sea to Sky Raft Tours Ltd., Dynamic Descents Whitewater Rafting
Stikine	Kicking Horse Rafting Co., Wilderland Explorations, Iskut Trail and River Adventures
Taseko	Ron Thompson, R.E.O. Rafting, Hyak
Thompson	Action River Expeditions Ltd., Clearwater Expeditions Ltd., Clearwater Rafting Adventures Ltd., Fraser River Raft Expeditions, Frontier River Adventures Ltd., Glacier Raft Co. Ltd., Highwater Expeditions, Hyak River Expeditions, Hydra River Guides Ltd., Interior Whitewater Expeditions Ltd., Kumsheen Raft Adventures Ltd., Nikaia River Holidays Ltd., R.A.F.T. Inc., Rapid Rafting, Reo Rafting Adventures, River Rogues Adventures Ltd., Rivers Rivers Wild Rafting Ltd., Safari River Expeditions, Kicking Horse Rafting Co., Spences Bridge Wave Riders, Water and Outdoor Sports Int. Ltd., Whistler River Adventures, Whitewater Adventures, Sea to Sky Raft Tours Ltd.
Toby	
Tulameen	
White	Kootenay River Runners
Whiting	U.S. Operators

Appendix 5

Written Submissions Received

NAME	ADDRESS	AFFILIATION
Dave Alexander	Whistler	Sea to Sky Raft and Tours
F.A. Bamper	Radium Hot Springs	Superintendant Kootenay National Park Environment Canada, Parks
Steve Barker	Williams Lake	–
Daniel Bergeron	Vancouver	Raft guide
Herb Bleuer	Pemberton	Coast Mountain Wilderness Society
Barry Burko	Vancouver	Raft guide
Canadian Red Cross Society – Water Safety Service	Vancouver	–
John Clarkson	Midnapore Alta.	Clearwater Rafting Adventures Ltd.
W.C. Dalley	Victoria	Manager, Plans and Operations Provincial Emergency Program Ministry of Attorney General
Lee Desmarais	Lytton	Nikaia River Holidays
James Doswell	Victoria	Assistant Deputy Minister Ministry of Tourism, Recreation and Culture
Bernie Fandrich	Lytton	Kumsheen Raft Adventures
Geoff Freer	Vancouver	Glacier Raft Company
Anne Howard	Prince George	B.C. Wilderness Outfitters
Gerry Israelson	Jasper, Alta.	Acting Assistant Chief Park Warden, Parks Canada

Claudia Jensen	Williams Lake	Williams Lake Chamber of Commerce
Gordon Keys	Vancouver	Director Trade, Tourism and Field Operations Regional Industrial Expansion
Vladimir Kulich	Vancouver	Raft Incorporated
Ken Leghorn	Juneau, Alaska	Alaska Discovery Incorporated
Karen Mandall	Vancouver	Frontier River Adventures
Peter Martin	–	–
John Mikes Jr.	Vancouver	Canadian River Expeditions
John Mikes Sr.	Vancouver	Canadian River Expeditions
A.R. Miller	Quesnel	City of Quesnel
John Munro	Vancouver	–
Christopher O'Connor	Vancouver	Ladner Downs on behalf of Dynamic Descents Whitewater Rafting Inc.
Michael Okun	Vancouver	Northwest Hydraulic Consultants
Tom Randall	Vancouver	Frontier River Adventures
Peter Scales	Vancouver	CPR – First Aid Section, Vancouver Community College
Peter Schlunegger	Golden	Kicking Horse Raft Company
Michael Shillingford	Vancouver	–
John Spanier	Aldergrove	Central Fraser Valley Regional District
Philip Taylor	Golden	Town of Golden
Barry Wiseman and Monica Leonhardt	Vancouver	–
Steve Anderson	Yale	Fraser River Raft Expeditions
Jim Ryan	Vancouver	Rapid Rafting
Steve Kun	Calgary	Director General, Western Region Environment Canada, Parks
S.P. Dubas	Victoria	Deputy Minister Ministry of Economic Development

Klaus Streckman	Burnaby	Action River Expeditions
Brian White	Vancouver	Coordinator Outdoor Recreation and Tourism Capilano College

Twelve submissions were also received at a meeting with the rafting industry in response to specific questions posed by the Committee.

Appendix 6

Rafting Companies Contacted in Writing

Representatives from the following companies were contacted in writing by the River Rafting Advisory Committee to inform them of the Committee's establishment, mandate and public meetings. The Committee was unable to contact several other companies in the Province. Representatives from companies with a (P) beside their name attended one of the public meetings. Representatives from companies with an (R) beside their name attended one or more of the meetings which the Committee held with the industry.

Action River Expeditions (R)
Burnaby

Alaska Discovery Inc.
Juneau, Alaska

B.C. Wilderness Outfitters (P)(R)
Prince George

Canadian River Expeditions (P)(R)
Vancouver

Canyon Whitewater
Fernie

Chilkat Guides
haines, Alaska

Clearwater Expeditions (P)(R)
Kamloops

Colorado River and Trail Exp.
Salt Lake City, Utah

Columbia Valley Air Boats Inc.
Golden

Ecosummer Yukon
Whitehorse, Yukon

Foot Hills Rafting Adventures
Canmore, Alberta

Fraser River Expeditions (R)
Yale

Frontier River Adventures (P)(R)
North Vancouver

Glacier Raft Company (P)(R)
Radium Hot Springs

Highwater Expeditions (P)(R)
Coquitlam

Hyak River Expeditions (P)(R)
Vancouver

Hydra River Guides Ltd.
Banff, Alberta

Interior Whitewater Expeditions (R)
Celista, B.C.

James Henry River Journeys
Bolinas, California

Journeys North
Hawes Road, B.C.

Kicking Horse Rafting Company (R)
Golden, B.C.

Kootenay River Runners (P)(R)
Edgewater, B.C.

Foothills Rafting Adventures Ltd.
Canmore, Alberta

Mad Rafter River Tours Ltd.
Calgary, Alberta

Nikaia River Holidays Ltd.
Lytton

Orion Explorations
Seattle, Washington

Quebec Whitewater World Ltd.
Cabunet, Quebec

Raft Inc. (P)(R)
Vancouver

Rapid Rafting (P)(R)
Vancouver

R.E.O. Rafting Adventures (P)(R)
Vancouver

River Rogues Adventures Ltd.
Spences Bridge

Rivers Wild Rafting
Surrey

Rocky Mountain River Rats Ltd.
Calgary, Alberta

Safari River Expeditions Ltd. (R)
Vancouver

Sea to Sky Raft and Tours (R)
Squamish

Kumsheen Raft Adventures (P)(R)
Lytton

Skeena Ventures Ltd.
Kitwanga

Sobek Expeditions Canada
Unionville, Ontario

Sobek Expeditions Ltd.
Angels Camp, California

Spences Bridge Wave Riders
Spences Bridge

Tatshenshini Expeditions
Whitehorse

Thompson Guiding Ltd.
Williams Lake, B.C.

Water and Outdoor Sports Int. Ltd. (R)
Maple Ridge, B.C.

Whirlpool Rafting Ltd.
Burnaby

Whistle River Adventures Ltd. (P)(R)
Whistler

Whitewater Adventures (P)(R)
Vancouver

Whitewater Vikings
Golden

Wilderland Explorations
Terrace

Appendix 7

B.C. Agencies/Organizations Contacted in Writing

The following agencies/organizations in B.C. were contacted in writing by the River Rafting Advisory Committee to inform them of the Committee's establishment, mandate and public meetings. They were also asked to provide input in writing they felt would be of assistance to the Committee.

Government Agencies

Chief Superintendent Kereluk
"E" Division
R.C.M.P.
Vancouver

Glen Stewart
Director General
Canadian Coast Guard
Western Region
North Vancouver

Ben Marr
Deputy Minister
Forests and Lands
Victoria

Chris Southin
Employment and Immigration Canada
Vancouver

Graydon Hayward
Deputy Minister
Minister of Tourism, Recreation and Culture
Victoria

M.C. Stewart
Director
Provincial Emergency Program

Steve Kun
Director General
Parks Canada
Calgary

S.P. Dubas
Deputy Minister
Ministry of Economic Development
Victoria

Tourist Associations

All 9 regional tourist associations in B.C. were contacted.

Villages, Towns and Cities

50 villages, towns and cities with commercial river rafting activities in or near their boundaries were contacted.

Chamber of Commerce

23 chambers of commerce located in communities which have commercial river rafting activities in or near their boundaries were contacted.

Associations and Societies

Mr. Jim Bremner
Canadian Red Cross Water Safety
Service
Vancouver

Mr. Alan Blackwell
Guide-Outfitters Association
100 Mile House

Mr. Ian Campbell
Association of Mountain Guides
of B.C.
Banff, Alberta

Ms. Sharon Chow
Sierra Club of Western Canada
Victoria

Mr. Paul Heraty
Whitewater Canoeing Association
of B.C.
West Vancouver

Mr. Brian Creer
Recreation Canoeing Association
of B.C.
Vancouver

Mr. Rod Bell-Irving
Steelhead Society of B.C.
Campbell River
Burnaby

Mr. Gordon Therriault
Executive Director
Outdoor Recreation Council of B.C.
Vancouver

Mr. John Binsted
Outward Board
Vancouver

Strathcona Park Lodge
Campbell River, B.C.

Mr. Paul George
Western Canada Wilderness Society
Vancouver

Mr. Ken Rooney
B.C. Federation of Fly Fishers
Vancouver

Jay McArthur
Federation of Mountain Clubs of B.C.
North Vancouver

Ms. Marilyn Kansky
West Coast Environmental Law
Association
Vancouver

Ms. Anna Christenson
Wilderness First Aid and Safety
Association of B.C.

Appendix 8

Legal Contacts

The following members of the legal community were contacted by the River Rafting Advisory Committee regarding rafting and its regulation.

David Sutherland
Killam, Whitelaw and Twining
Vancouver
(Insurance Lawyers)

Greg Cranston
Vancouver

Linda Parsons
Davis and Company
Vancouver

Randall McRoberts
Invemere
Vancouver

Colin Sweeney
Provincial Crown Counsel
Vancouver

Brian Sedgewick
Federal Justice
Vancouver

Patrick O'Neal
Vancouver

Frank Borowicz
Davis and Company
Vancouver

Doug Bjorkman
Vancouver

Robin Elliot
U.B.C. Law School
(Constitutional Expert)

Provincial Crown Counsel
Cranbrook

Kim Roberts
Vancouver

Bruce Ralston
Vancouver

Julien Kenney
Lindsay Kenney
Vancouver

Appendix 9

Telephone Contacts Made Outside B.C.

The following agencies, organizations and individuals located outside B.C. were contacted by telephone by the Committee to obtain information about the regulation and management of commercial river rafting.

U.S. National Parks Service

National Parks Service
Rocky Mountain Region
Denver, Colorado

Jim Braggs
National Parks Service
Canyonlands National Park
Moab, Utah

Jim McBrayer
National Parks Service
Dinosaur National Monument
Colorado

U.S. Bureau of Land Management

Chuck Hoyt, Ken White
Bureau of Land Management
Oregon Regional Office
Portland, Oregon

U.S. State Governments

Cindy Fosdick
Oregon State Marine Board
Salem, Oregon

Rick Storm
Parks and Outdoor Recreation
Colorado

Al White
Department of Boating and
Waterways
Sacramento, California

National Parks Service
Pacific Northwest Region
Seattle, Washington

Kim Krumbo
National Parks Service
Grand Canyon National Park
Grand Canyon, Arizona

Rick Brown
National Parks Service
New River Gorge National River
West Virginia

U.S. Forest Service

Joe Higgins
U.S. Forest Service
Portland, Oregon

Max Jensen, Mary McGee
Utah Division of Parks and Recreation
Moab and Salt Lake City, Utah

Sergeant Pat Dorian
Inland Fisheries and Wildlife
Greenville Maine

U.S. County Government

Denise Paquette
Eldorado County
Placerville, California

Other Countries

Neil Gillstrom
Ministry of Transport
Wellington, New Zealand

Graham Eggar
New Zealand Water Safety Council
Nelson, New Zealand

S. Ponsford
Ministry of Transport
Wellington, New Zealand

Rafting Organizations, Companies, Individuals

Hector Mackenzie
Yukon Mountains and Rivers

Grant Simond
Idaho Guides Association

Dick Linford
Echo Rafting
Oakland, California

Carey Swanson
Colorado Licensing Authority

Western River Guides Alliance
Salt Lake City, Utah

Bunny Johns
Nantahala Outdoor Centre
Bryson City, North Carolina

Eastern River Expeditions
Greenville, Maine

Contacts Made Regarding Insurance

Rick Linsey
High Country Insurance
Salt Lake City, Utah

Alex Harrison
Tomenson, Saunders
Vancouver, B.C.

Peter Bateman
Underwriters Insurance
Vancouver, B.C.

Colleges

Mike Exall
Outdoor Recreation Program
Seneca College
Toronto, Ont.

Appendix 10

List of Documents Received From Other Jurisdictions

California

1. Eldorado County Rafting Violation Form.
2 South Fork of the American River Management Plan.

Colorado

1. Act concerning the Regulation of River Outfitters.
2. Dinosaur National Monument Boating Regulations.
3. Dinosaur National Monument River Management Plan.
4. U.S. National Parks Service Concession Permit.
5. Dinosaur River Permit Operational Standards.

Idaho

1. Outfitters and Guides Board Rules and Regulations.
2. Outfitters Licence Application.
3. Outfitter/Guide Boating Application.
4. Outfitter's Operating Plan.
5. Outfitter Examination.
6. Outfitter Licence Bond Form.

Maine

1. Act to Establish a Uniform Fee for Whitewater Guide Licences.
2. Commercial Whitewater Rafting Regulations.
3. Non-commercial Whitewater Rafting Registration Form.
4. Whitewater Inspection Checklist.
5. General Whitewater Guide's Exam.
6. Whitewater Guides Exam for Specific Rivers

New Hampshire

1. Swift River - Guide - Rafting Operations Plan.

Oregon

1. Bureau of Land Management Special Recreation Permit for Commercial Use.
2. Bureau of Land Management Special Recreation Permit Policy.
3. State of Oregon Marine Board Application for Outfitter Guide Registration.
4. State Marine Board Outfitter/Guide Registration Rules.

South Carolina

1. U.S. Forest Service Special Use Permit

Tennessee

1. Operational Requirements for Commercial Trip Operators – Ocoee River State Recreation Area
2. Commercial Use Licence Big South National River

Utah

1. Canyonlands National Park Non-commercial Boating Provisions.
2. Non-commercial Boating Permit.
3. Application for Non-commercial Boating Permit.
4. Canyonlands National Park Concession Permit.
5. Laws and Regulations Governing River Running in the State of Utah.
6. Utah State River Guide Certification Requirements.
7. Utah Boating Act and Board of Parks and Recreation Boating Rules.
8. Utah River Guide Permit Examination.

West Virginia

1. State Code of West Virginia relating to Commercial Whitewater Rafting.
2. West Virginia Administrative Regulations for Commercial Whitewater Advisory Board and Commercial Whitewater Outfitters.

New Zealand

1. Code of Practice for Commercial Rafting

Appendix 11

River Rafting Licensing Program

Law Enforcement Guidelines for

Peace Officers

From Colorado Division of Parks and Recreation

COLORADO DIVISION OF PARKS AND OUTDOOR RECREATION
RIVER OUTFITTER LICENSING PROGRAM
LAW ENFORCEMENT GUIDELINES FOR PEACE OFFICERS

A goal of the river outfitter's licensing program is to provide for the uniform enforcement of river outfitter licensing laws throughout the state. To assist peace officers in officiating these laws in substantially the same manner, given similar circumstances, the following enforcement guidelines have been developed. The recommended course(s) of action may be subject to occasional variations, depending upon the aggrevating or mitigating circumstances of each case. An officer shall always advise a violator, whether a verbal warning or citation is given, that any deficiency that effects public safety, health, or welfare must be corrected before embarking upon a commercial trip or before embarking upon future commercial trips.

These guidelines are divided into the following sections:

I. RIVER OUTFITTERS LICENSE
II. SAFETY EQUIPMENT FOR COMMERCIAL RAFTS
III. COMMERCIAL RAFT MARKING
IV. PROHIBITED OPERATION OF COMMERCIAL RAFTS
V. COMMERCIAL GUIDES, RECORDS, ORIENTATION, ACCIDENT REPORTING
VI. HEALTH AND WELFARE
VII. VESSEL RENTAL LIVERIES
VIII. PRIVATE NONCOMMERCIAL RAFTERS, CANOEISTS, AND KAYAKERS AND COMMERCIAL CANOE AND KAYAK SCHOOLS AND OUTFITTERS
IX. TRESPASS COMPLAINTS
X. RIVER USE RESTRICTIONS

Whenever the penalty for the violation listed is a classified crime, the class has been indicated. For example (2M) means class 2 misdemeanor. All other violations listed are unclassified misdemeanors. Other abbreviations used are defined below:

VC	VIOLATION CODE
PA	PENALTY ASSESSMENT
RO	RIVER OUTFITTER
TL	TRIP LEADER
G	GUIDE
CP	COMMERCIAL PASSENGER
DPOR	DIVISION OF PARKS AND OUTDOOR RECREATION
PB	PRIVATE BOATER
LO	LIVERY OPERATOR
CK	COMMERCIAL CANOE & KAYAK SCHOOL OR OUTFITTER

COLORADO CRIMINAL CODE PENALTIES

TYPE	MISDEMEANORS		PETTY OFFENSES	
CLASS	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
1	6 months $500 fine	24 months $5,000 fine	None	6 months $500 fine
2	3 months $250 fine	12 months $1,000 fine	Fine specified in section defining offense	
3	$50 fine	6 months $750 fine		
Unclassified	Fine specified in section defining offense			

	STATUTE	REGULATION	REGULATION PURSUANT TO	CITATION	RECOMMENDED RECIPIENT
- Operating a commercial trip without enough spare paddles (paddle boats only) "enough" means: one spare paddle for every vessel in trip the spare paddle need not be in each vessel, but must be readily accessible	33-32-107(2)(a)	#305-4.d.	33-32-103	PA $100	TL
- Operating a commercial trip without a proper throwbag immediately available "proper" means: 60' of 3/8" rope "immediately available" means: aboard one of the vessels on the trip	33-32-107(2)(a)	#305-4.e.	33-32-103	PA $100	TL
- Operating a vessel during a commercial trip without a proper bow/stern line "proper" means: min. 10' rope attached to bow or stern, stored and secured so as not to present a danger	33-32-107(2)(a)	#305-4.f.	33-32-103	PA $100	TL - G
- Operating a vessel during a commercial trip without a proper bailing device (not needed in self-bailers) "proper" means: suitable container of sufficient size	33-32-107(2)(a)	#305-4.g.	33-32-103	PA $100	TL - G
- Operating an inflatable raft that contains less than three separate air chambers during a commercial trip	33-32-107(2)(a)	#305-5.a.	33-32-103	PA $100	TL
- Operating an inflatable raft that is not wear resistant during a commercial trip "wear resistant" means: constructed of other than cheap vinyl or plastic	33-32-107(2)(a)	#305-5.a.	33-32-103	PA $100	TL
- Operating a commercial trip without a proper patching and repair kit immediately available "proper" means: adequate to meet size and needs of the group, in good and serviceable condition, in a suitable and durable container "immediately available" means: aboard one of the vessels on the trip	33-32-107(2)(a)	#305-5.b.	33-32-103	PA $100	TL

	STATUTE	REGULATION	REGULATION PURSUANT TO	CITATION	RECOMMENDED RECIPIENT
COMMERCIAL GUIDES, RECORDS, ORIENTATION, ACCIDENT REPORTING					
- Operating a commercial trip without one guide aboard each vessel which carries, or is designed to carry, three or more commercial passengers (unless a written variance has been granted)		#304-1.	33-32-103	PA $25	RO
- Failure to assign a trip leader for a commercial trip		#304-4.	33-32-103	PA $25	RO
- Failure to provide an adequate commercial passenger orientation prior to embarking on a commercial trip "adequate" means: addressing all topics required in reg. #304-5.		#304-5.	33-32-103	PA $25	TL - RO
- Operating a commercial trip with an unqualified guide as the operator of a vessel "unqualified" means: not meeting the qualifications of reg. #304-2.		#304-2.	33-32-103	PA $25	RO
- Failure to maintain a current and permanent record of a current guide's or instructor's (whichever applies) training, guiding or instructing (whichever applies) experience		#304-6.	33-32-103	PA $25 VC: 304-6	RO
IMPORTANT NOTE: Guide and trip leader record requirements are outlined in #304-2, instructor record requirements are outlined in #304-2 and #300-6, first aid training record requirements are outlined in #304-6. The outfitter responsible for the trip is also responsible for maintaining all required records for any employee that guides, even on a temporary basis, for him. Allow a reasonable grace period for record entries.					

	STATUTE	REGULATION	REGULATION PURSUANT TO	CITATION	RECOMMENDED RECIPIENT
- Operating a vessel while under the influence of alcohol, a controlled substance, or any other drug, or combination thereof (whichever applies) during a commercial trip "under the influence" means: rendered incapable of safely operating a vessel	33-13-108(4)			Summons $100 - $1,000 and/or up to 1 year VC: 13-108-4	PB or CK
- Operating a vessel that is overloaded (except emergency situations) "overloaded" means: take into consideration the rated capacities, weather, type of construction, river conditions, and other existing conditions.		#218-4	33-13-106(1)(d)	PA $25	PB or CK
- Operating a vessel that is unseaworthy "unseaworthy" means: take into consideration type of construction and other existing conditions, such as maintenance		#218-4	33-13-106(1)(d)	PA $25	PB or CK
- Failure to report an accident "accident" means: damage in excess of $200 to vessel or equipment, injury requiring a physician's attention, loss of life, or disappearance of a person under circumstances which indicate the possibility of death or injury.	33-13-109(6)			PA $25	PB or CK

Appendix 12

Environmental Management Act

Section 11

Environmental Appeal Board

Environmental Appeal Board

11. (1) The Lieutenant Governor in Council shall establish an Environmental Appeal Board to hear appeals that under the provisions of any other enactment are to be heard by the board, and the board shall in relation to the appeals have the powers given to it by that other enactment.

(2) The board shall consist of a chairman, one or more vice chairmen and other members the Lieutenant Governor in Council appoints.

(3) The Lieutenant Governor in Council may appoint persons as temporary members to deal with a matter before the board, or for a period or during circumstances he specifies, and may designate a temporary member to act as chairman or as a vice chairman.

(4) A temporary member has, during the period or under the circumstances or for the purpose for which he is appointed as a temporary member, all the powers of and may perform all the duties of a member of the board.

(5) The Lieutenant Governor in Council may determine the remuneration and expenses payable to the members of the board.

(6) The chairman may organize the board into panels, each comprised of one or more members.

(7) The members of the board shall sit

(a) as a board, or

(b) as a panel of the board,

and where members sit as a panel,

(c) 2 or more panels may sit at the same time,

(d) the panel has all the jurisdiction of and may exercise and perform the powers and duties of the board, and

(e) an order, decision or action of the panel is an order, decision or action of the board.

(8) The number of members that constitute a quorum of the board or a panel shall be set by regulation of the Lieutenant Governor in Council.

(9) The board, a panel and each member have all the powers, protection and privileges of a commissioner under sections 12, 15 and 16 of the *Inquiry Act*.

(10) In an appeal, the board or a panel may hear any person, including

(a) a person, a member of a body or a representative of a person or body who made the decision or order that is the subject of the appeal or review, and

(b) any other person the board invites to appear before it.

(11) Where the board or a panel makes an order or decision with respect to an appeal the chairman shall send a copy of the order or decision to the minister and to the parties.

1981-14-11; 1983-10-21, effective October 26, 1983 (B.C. Reg. 393/83)

Appendix 13

Environmental Appeal Board

Procedure Regulation

From the Environmental Management Act

B.C. Reg. 1/82
O.C. 5/82

Filed January 11, 1982

Environment Management Act

ENVIRONMENTAL APPEAL BOARD PROCEDURE REGULATION

[includes amendments up to B.C. Reg. 118/87]

Interpretation

1. In this regulation

"Act" means the *Environment Management Act*;

"board" means the Environmental Appeal Board established under the Act;

"chairman" means the chairman of the board;

"objector" in relation to an appeal to the board means a person who, under an express provision in another enactment, had the status of an objector in the matter from which the appeal is taken.

Application

2. This regulation applies to all appeals to the board.

Appeal practice and procedure

3. (1) Every appeal to the board shall be taken within the time allowed by the enactment that authorizes the appeal.

(2) Unless otherwise directed under the enactment that authorizes the appeal, an appellant shall give notice of the appeal by mailing a notice of appeal by registered mail to the chairman, or leaving it for him during business hours, at the address of the board.

(3) A notice of appeal shall contain the name and address of the appellant, the name of counsel or agent, if any, for the appellant, the address for service upon the appellant, grounds for appeal, particulars relative to the appeal and a statement of the nature of the order requested.

(4) The notice of appeal shall be signed by the appellant, or on his behalf by his counsel or agent, for each action, decision or order appealed against and the notice shall be accompanied by a fee of $25, payable to the Minister of Finance.

(5) Where a notice of appeal does not conform to subsections (3) and (4), the chairman may by mail or another method of delivery return the notice of appeal to the appellant together with written notice

(a) stating the deficiencies and requiring them to be corrected, and

(b) informing the appellant that under this section the board shall not be obliged to proceed with the appeal until a notice or amended notice of appeal, with the deficiencies corrected, is submitted to the chairman.

(6) Where a notice of appeal is returned under subsection (6) the board shall not be obliged to proceed with the appeal until the chairman receives an amended notice of appeal with the deficiencies corrected.

[am. B.C. Regs. 327/85; 118/87, s. 1.]

Procedure following receipt of Notice of Appeal

4. (1) On receipt of a notice of appeal, or, in a case where a notice of appeal is returned under section 3 (6), on receipt of an amended notice of appeal with the deficiencies corrected, the chairman shall immediately acknowledge receipt by mailing or otherwise delivering an acknowledgement of receipt together with a copy of the notice of appeal or of the amended notice of appeal, as the case may be, to the appellant, the minister's office, the official from whose decision the appeal is taken, the applicant, if he is a person other than the appellant, and any objectors.

(2) The chairman shall within 60 days of receipt of the notice of appeal or of the amended notice of appeal, as the case may be, determine whether the appeal is to be decided by members of the board sitting as a board or by members of the board sitting as a panel of the board and the chairman shall determine whether the board or the panel, as the case may be, will decide the appeal on the basis of a full hearing or from written submissions.

(3) Where the chairman determines that the appeal is to be decided by a panel of the board, he shall, within the time limited in subsection (2), designate the panel members and,

(a) if he is on the panel, he shall be its chairman,

(b) if he is not on the panel but a vice chairman of the board is, the vice chairman shall be its chairman, or

(c) if neither the chairman nor a vice chairman of the board is on the panel, the chairman shall designate one of the panel members to be the panel chairman.

(4) Within the time limited in subsection (2) the chairman shall, where he has determined that a full hearing shall be held, set the date, time and location of the hearing of the appeal and he shall notify the appellant, the minister's office, the official from whose decision the appeal is taken, the applicant, if he is a person other than the appellant, and any objectors.

(5) ***Repealed***. [B.C. Reg. 118/87, s. 2.]

[am. B.C. Reg. 118/87, s. 2.]

Quorum

5. (1) Where the members of the board sit as a board, 3 members, one of whom must be the chairman or vice chairman, constitute a quorum.

(2) Where members of the board sit as a panel of one, 3 or 5 members, then the panel chairman constitutes a quorum for the panel of one, the panel chairman plus one other member constitutes the quorum for a panel of 3 and the panel chairman plus 2 other members constitutes the quorum for a panel of 5.

Order or decision of the board or a panel

6. Where the board or a panel makes an order or decision with respect to an appeal, written reasons shall be given for the order or decision and the

chairman shall, as soon as practical, send a copy of the order or decision accompanied by the written reasons to the minister and to the parties.

Written briefs

7. Where the chairman has decided that a full hearing shall be held, the chairman in an appeal before the board, or the panel chairman in an appeal before a panel , may require the parties to submit written briefs in addition to giving oral evidence.

[en. B.C. Reg. 118/87, s. 3.]

Public hearings

8. Hearings before the board or a panel of the board shall be open to the public.

Recording the proceedings

9. (1) Where a full hearing is held, the proceedings before the board or a panel of the board shall be taken using shorthand or a recorder, by a stenographer appointed by the chairman, for a hearing before the board, or by the panel chairman, for a hearing before the panel.

(2) Before acting, a stenographer who takes the proceedings before the board or a panel shall make oath that he shall truly and faithfully report the evidence.

(3) Where proceedings are taken as provided in this section by a stenographer so sworn, then it is not necessary that the evidence be read over to, or be signed by, the witness, but it is sufficient that the transcript of the proceedings be

(a) signed by the chairman or a member of the board, in the case of a hearing before the board, or by the panel chairman or a member of the panel, in the case of a hearing before the panel, and

(b) be accompanied by an affidavit of the stenographer that the transcript is a true report of the evidence.

[am. B.C. Reg. 118/87, s. 4.]

Transcripts

10. On application to the chairman or panel chairman, as the case may be, a transcript of the proceedings, if any, before the board or the panel of the board shall be prepared at the cost of the person requesting it or, where there is more than one applicant for the transcript, by all of the applicants on a pro rata basis.

[am. B.C. Reg. 118/87, s. 5.]

Representation before the board

11. Parties appearing before the board or a panel of the board may represent themselves personally or be represented by counsel or agent.

[Provisions of the *Environment Management Act* relevant to the enactment of this regulation: section 15]

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Appendix 14

Registration Form

MINISTRY OF ENVIRONMENT AND PARKS
PARKS AND OUTDOOR RECREATION DIVISION

NONCOMMERCIAL WHITEWATER RAFTING REGISTRATION FORM

Noncommercial river rafting trips in British Columbia, operated by persons who are not residents of this province, require prior registration. Any nonresident without a commercial river rafting operator's permit using a river rafting craft on any stretch of a British Columbia river for which a permit is required, shall, prior to launching the craft, file a noncommercial trip registration form with the R.C.M.P. or the Registrar of Rafting. The form shall state that the person's use of the river rafting craft on a B.C. river does not constitute a commercial river rafting trip as defined in the Boating Restriction Regulations River Rafting Standards and shall be signed by all persons using the craft.

NAME _____ HOME PHONE _____

ADDRESS _____
BOX NO. CITY PROVINCE/STATE POSTAL CODE

DATE OF TRIP _____

NUMBER OF RAFTS _____ PUT IN _____ TAKE OUT _____

"Commercial" under the B.C. River Rafting Standards is defined as meaning any activity for which financial compensation or other remuneration is received. A river rafting trip is noncommercial only if there is a bona fide sharing of expenses and no fee, charge or other compensation is collected in excess of actual costs of expenses incurred.

A trip is "commercial" if anyone on the trip makes a profit, receives a reimbursement or salary or receives a rental fee for use of equipment.

By operating under the guise of noncommercial rafters, illegal rafting operators are competing unfairly with licensed operators by avoiding use fees, and other applicable provisions that provide for the public's safety.

Your signature on this form signifies your trip is not commercial and any falsification of this document is subject to all penalties applicable under the Canada Shipping Act Boating Restriction Regulation and the Criminal Code of Canada.

_____ _____
GROUP LEADER'S SIGNATURE DATE

_____ _____
GROUP LEADER'S DRIVERS LICENSE NO. OR SOCIAL SECURITY NO.

PASSENGER LIST (ALL PASSENGERS MUST BE LISTED)

NAME ADDRESS PHONE NUMBER